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ABSTRACT

In testimony before the Senate Commerce Committee the author reiterates charges he made in his original testimony to that committee in 1970. He states that food advertisements on television aimed at children are misleading and that the foods advertised are nutritionally worthless. He cites a study that showed that the boxes in which the cereal was packed were more nutritious than some of the cereals themselves. Advertisements for children's vitamins are criticized as promoting a casual attitude toward pill taking and a disregard for balanced diets. The author proposes to combat the problem with compensatory advertising stressing the value of balanced nutrition and offering consumer education on the tactics of the advertising industry. (JY)

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"TOO STUFFED FOR SUPPER"

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TESTIMONY BY

Robert B. Choate

before the

Senate Commerce Committee

Subcommittee on the Consumer

March 2, 1972

Council on Children, Media and Merchandising
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

EM009 717

Mr. Chairman:

You have asked me to update my July 1970 testimony before this Committee and to report on the changes in selling cereals to children. I would like to broaden that and report on changes in merchandising to children--changes which have taken place since my original cereal report.

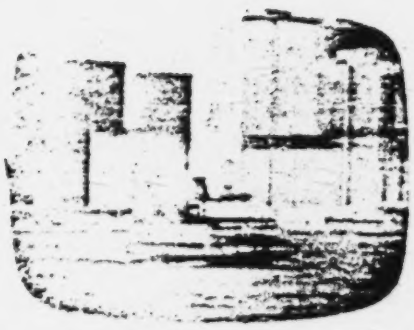
On the original subject, in a nutshell, of the 40 dry ready-to-eat cereals which I condemned in 1970, more than 26 have been so reformulated as to now represent a different food product on the shelves. Here is a chart showing the upgrading of these cereals in 8 nutrient categories (Exhibit A). Kellogg has just announced it will soon upgrade the rest of its cereals, including its presently deficient Corn Flakes and Rice Krispies. I guess Kellogg will have to rephrase its ad which states, "...one of the few things around somebody hasn't tried to change."

Fortification of cereals, however, applies mainly to vitamins and minerals and implies little or no improvement of protein quantity or quality. Early in 1972, I asked the cereal companies to supply me with Protein Efficiency Ratings (PER's) for every cereal for which they made any protein claims. Only two companies were willing to identify the worth of the protein in any of their cereals: Quaker provided the PER for its "Life" cereal and General Foods provided the PER for its "Fortified Oat Flakes." I gather that every other cereal on the market makes no pretences for its protein contribution. Such secrecy--such abandonment of quality, should frighten every nutritionist.

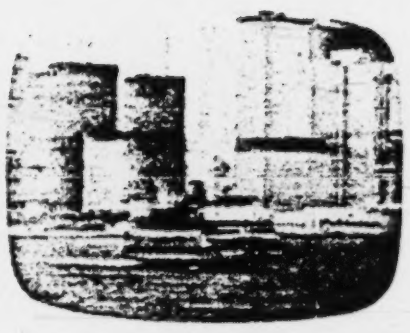
Rather astonished at this, I sought the work of Dr. Constance Kies of the University of Nebraska and Dr. William Caster, Professor of Nutrition at the University of Georgia. Dr. Caster analyzed all the popular cereals for their ability to support life in rats. He reported as follows on the virtues of various cereals, mixed with water:

Spec

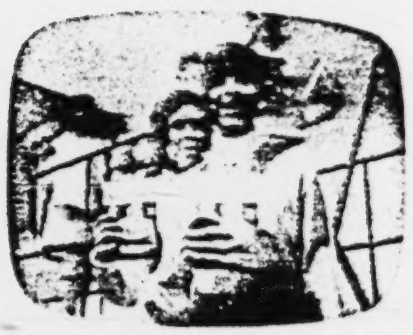
PRODUCT: KELLOGG'S FROSTED MINI WHEATS 716050
PROGRAM: NEWLYWED GAME 11/12/71 30 SEC.
WABC-TV (NEW YORK) 2:07PM



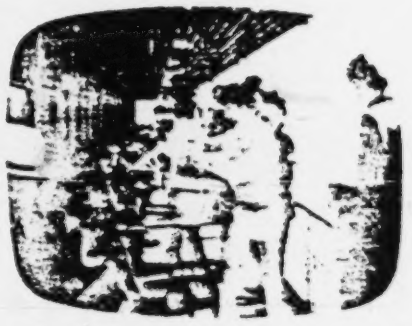
1. (SHIP WHISTLE - SFX)



2. MAN: America's waking up to a great breakfast idea.



3. WOM: Frosted Mini Wheats from Kelloggs.
CHORUS SINGS: Oh, oh, they're grand and glorious

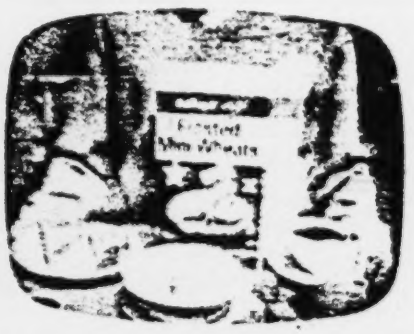


4. cereal made from golden wheat.

5. Oh, oh, they're all American sugar cinnamon frosted Mini Wheats.

6. WOM: Two flavors, great sugar frosting.

7. MAN: Or brown sugar cinnamon.



8. WOM: And a great little size.
MAN: And fortified with four essential B Vitamins.

9. (MUSIC) CHORUS SINGS: Oh, oh, they're all American

10. Sugar Cinnamon Frosted Mini Wheats.

TABLE I

Nutritional Evaluation of Cereal Products by Rat Bioassay*

A. Promotes excellent tissue growth:

Fortified Oat Flakes (Post)
Life (Quaker)

B. Allow some growth (less than half of the A group):

Concentrate (Kellogg)
Peanut Butter Crunch (Quaker)
Shredded Wheat (Nabisco)
Special K (Kellogg)

C. Little or no growth even when supplemented with a complete vitamin and mineral mixture:

Bran and Prune Flakes (General Foods)
Cherrios (General Mills)
Crispy Critters (General Foods)
Fruit Loops (Kellogg)
Honey Comb (General Foods)
Jets (General Mills)
Kaboom (General Mills)
Lucky Charms (General Mills)
Raisin Bran (Post)
Rice Chex (Ralston)
Total (General Mills)
Wheaties (General Mills)

D. Will not support life even when supplemented with a complete vitamin mixture and mineral mixture:

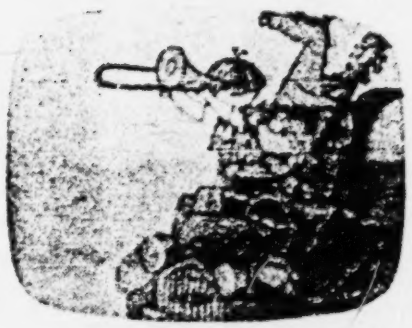
Apple Jacks (Kellogg)
Clackers (General Mills)
Corn Chex (Ralston)
Corn Flakes (Kellogg)
Crunch Berries (Quaker)
40% Bran Flakes (Kellogg)
Frosted Flakes (Kellogg)
King Vitaman (Quaker)
Product 19 (Kellogg)
Puffed Wheat (Quaker)
Quisp (Quaker)
Rice Crispies (Kellogg)
Rice Honeys (Nabisco)
Sugar Smacks (Kellogg)
Sugar Pops (Kellogg)
Team (Nabisco)
Toasties (Post)
Trix (General Mills)
Wheat Chex (Ralston)
Wheat Honeys (Nabisco)

Special S

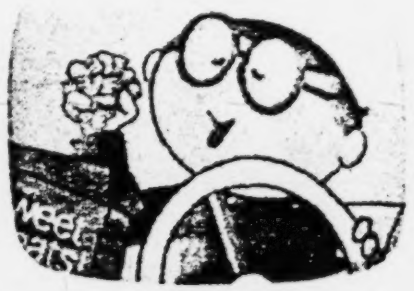
PRODUCT: SWEET WHEATS S-720226
PROGRAM: HOLLYWOOD MATINEE - 12/31/71 - 30 SEC.
WSYR-TV (SYRACUSE) 1:21 PM

1. BOY: Sweet Wheats.

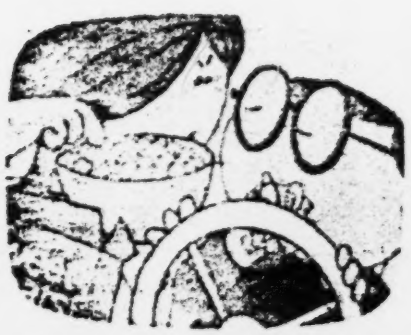
2. Frosted bits of shredded wheat.



3. BOY: Sweet Wheats. Sugar treat, fun to eat.

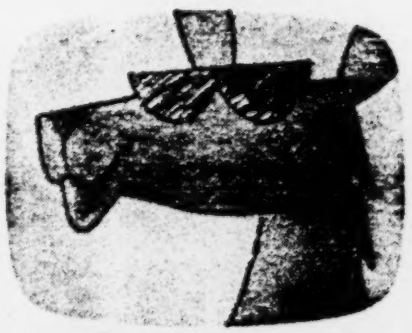


4. BOY: Sweet Wheats. I eat 'em by the fistful.



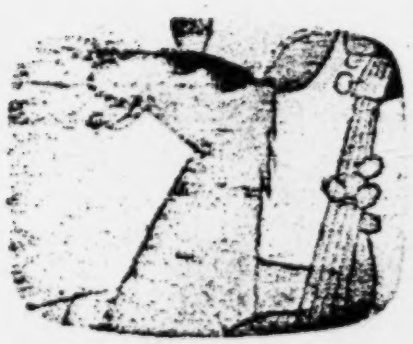
5. BOY: Really, eat them in a bowl.

6. ANNCR: Cool it, kids. Any way you eat 'em,



7. Sweet Wheat's got soul. (MUSIC) Listen to the blue kangaroo.

8. Shredded Wheat's got sweet for me and you.



9. (MUSIC) Man can't live by bread alone.

10. BOY: Sweet Wheats from Nabisco.

Dr. Caster did his analysis in the fall of 1970 and thus judged the cereals which were the subject of such incredible defense by company nutritionists. Although Dr. Caster did not mention it in his formal paper, a copy of which I submit for the record, his most telling study was one which rebutted the "milk argument defenses" raised in August of 1970. He asked his students to grind up the cardboard fronts of some cereal boxes, add sugar, milk and raisins, and feed the mixture to a group of rats. He says:

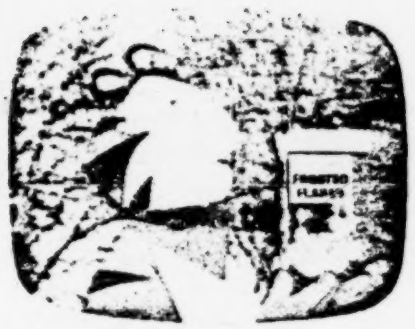
> "We then added one part of box, one part sugar, one part of dry skim milk and one part raisins (by weight) to a Waring blender and shredded these components together. This 'box diet' was fed to another group of animals and the results would place this diet low in group B, but distinctly above group C..."

When cardboard which is normally thrown away provides more nourishment than processed grains at 60¢ or 80¢ per pound, I think it is time to take a second look at who shapes the nation's nutrition.

Knowing that you would be interested in the sugar content of ready-to-eat cereals, I asked the companies for the percentage content of each of the three major ingredients by weight for each of their cereals. General Foods and Quaker Oats have responded forthrightly. General Mills claimed it could not provide the information because of the FTC's pending complaint. Kellogg sent three top executives to see me on Tuesday of this week. They allowed as how they were an "old fashioned company" and hence could not reveal either PER's or quantities of principal ingredients or total sugar content of their cereals. Yet advertisements for some Kellogg products state that "Kellogg's loves kids." Since the industry knows each other's products cold, the only reason for such secrecy is not to protect "company secrets" but to fool the public. I had some calculations made and will here reveal what role sugar plays in some of these dry cereals.

PRODUCT: KELLOGG'S FROSTED FLAKES 713578
PROGRAM: MONKEES · 7/10/71 · 30 SEC.
WCBS-TV (NEW YORK) 12:47PM

1. TONY: I'm Tony and I'm a tigar,



2. thanks to Kellogg's Sugar Frosted Flakes.

3. I say they're great flakes of corn, sweetened with sugar

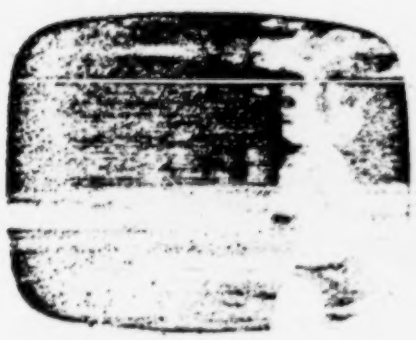
4. and fortified with eight important vitamins.

5. CHORUS SINGS: Tony Tiger says ...

6. TONY: Crunch a bunch in your mouth.

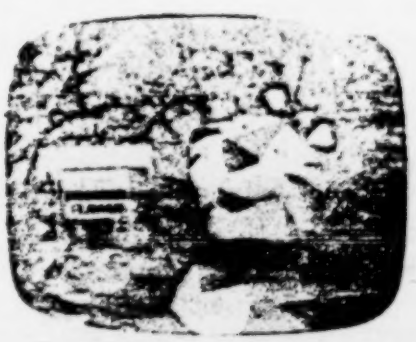
7. CHORUS SINGS: Tony Tiger says ...

8. TONY: Stand on your hands.



9. CHORUS SINGS: Run as fast as you can.

10. TONY: Tony Tiger says ... CHORUS SINGS: Find the biggest tree.



11. TONY: Kellogg's Sugar Frosted Flakes are great.

12. CHORUS SINGS: That's what Tony Tiger says.

I have emptied these actual cereal boxes and have inserted in them the approximate number of ounces of sugar that are now hidden in the flakey concoctions. I think it makes for an interesting display. Here is the sugar content of some of today's more popular cereals:

PRODUCT	CEREAL GRAINS	SUGAR
Kellogg Cocoa Krispies	45-50%	40-45% *
Kellogg Sugar Frosted Flakes	55-60%	30-35% *
Kellogg Special K	60-70%	30-35% *
General Mills Trix	50-60%	30-35% *
General Mills Frosty O's	40-45%	40-45% *
General Mills Count Chocula	35-40%	over 40% *
General Mills Total	80-85%	8-10% *
Quaker Oats Captain Crunch	49%	41%
Quaker Oats Quangaroos	43%	43%
Quaker Oats King Vitaman	33%	47%
Quaker Oats Puffed Wheat	99%	--
Quaker Oats Life	70%	18%
General Foods Fruity Pebbles	48%	47%
General Foods Cocoa Pebbles	46%	46%
General Foods Alpha Bits	44%	42%
General Foods Super Sugar Crisp	42%	43%
General Foods Post Toasties	85%	8%
General Foods Fortified Oat Flakes	50%	21%

We landed hard on this subject in 1970 and we repeat it here. A major figure in dental research has told me that of every 100 inductees into the Army, there are 600 cavities to be filled and 106 teeth to be pulled.[1] He describes such dental problems as "pandemic." Sucrose, particularly in combination with a sticky matrix, is the prime offender, in his opinion. I claim cereals are a prime offender.

Of even more concern is the growing medical debate on sugar and its role in our diet, its possible contribution to heart problems and diabetic onsets. I refer those who are interested in further information to Dr. Jean Mayer of Harvard or to Dr. John Yudkin, M.D. whose book Sweet and Dangerous is about to be published.

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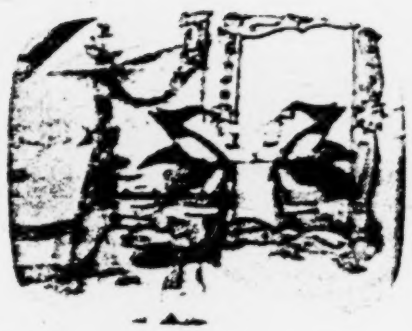
* Calculated values. Figures not provided by the companies.

1 A. E. Nizel, D.D.S., Tufts University.

PRODUCT: COUNT CHOCULA FRANKEN BERRY 716688
PROGRAM: DEPUTY DAWG 12/11/71 30 SEC.
WNBC-TV (NEW YORK) 9:08 AM

1. COUNT: Mirror, mirror, on the wall,



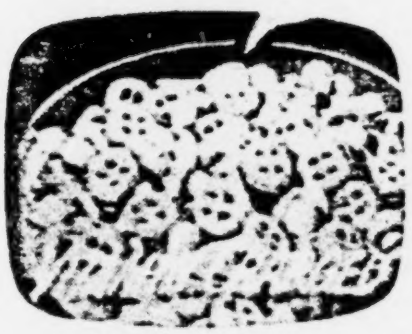
2. whose cereal is the super sweetest of them all?

3. Is it my Count Chocula?

4. FRANKEN BERRY: Poo de do.

5. My Franken Berry is the super sweet cereal.

6. COUNT: But I've got chocolate sweeties for monsterous chocolate flavor.

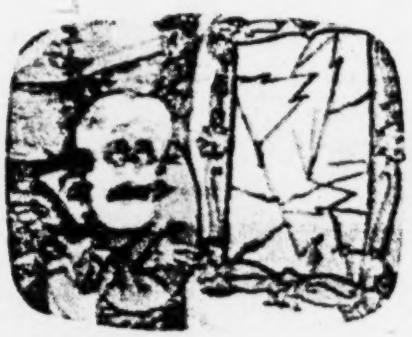


7. FRANKEN: But I've got strawberry sweeties, for monsterous strawberry flavor.

8. COUNT: Count chocula.

9. FRANKEN: Franken Berry.

10. (SFX MIRROR BREAKS)



11. COUNT AND FRANKEN: Oh. oh. oh.

12. COUNT: Count chocula. FRANKEN: Franken Berry.

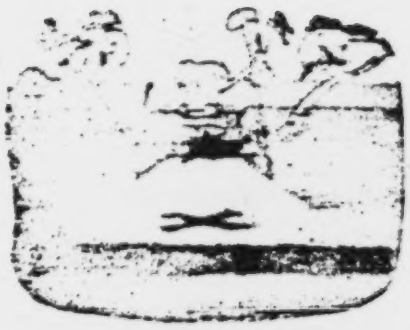
Sugar is now the primary ingredient in many common food products and there are lesser amounts of sugar now present in such seemingly innocent products as corn beef hash, Campbell's soups and numerous frozen vegetables. Sugar is advocated several times per hour to youngsters who may see an average of 5000 food commercials each year. I think it is time for the Surgeon General and the nation's top researchers to start questioning the incessant advocacy of sugar represented in our magazines, our newspapers and our television set.

Cereal prices are still high, with 74¢ per pound being typical. When one compares the cost of rice at 18¢ per pound with Rice Krispies at 70¢ per pound, one can evaluate the cost of "convenience." Of the high sugar cereals, Kaboom by General Mills is the most expensive we could find in a recent check of Safeway and Giant supermarkets. Quaker's King Vitaman, General Mills' Frankenberry and Count Chocula and Kellogg's Froot Loops were close behind, averaging 86¢ per pound. All of these cereals list sugar as being the primary ingredient. Sugar retails for about 13¢ per pound. A good portion of the high cost of these sweet cereals is the advertising aimed at kids telling them they like sweet cereals.

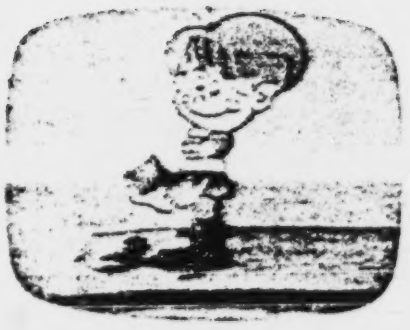
I do not want to appear unchanged myself. In my previous testimony, I reported favorably on the whole process of fortification. I do think there are limits. Many facts have come to light in the last two years which lead one to believe that our knowledge of nutrient absorption is dismally weak. We have been to sure of ourselves. Dr. Charles Edwards, Commissioner of the Food and Drug Administration, set forth his views in a recent letter:

> "FDA takes the position that any manufacturer making a PER or protein value claim must have adequate substantiation for that claim. We do not presently have authority to require that this substantiation be submitted to, or approved by, FDA. We are presently considering inclusion in the amino acid proposal of a requirement that such information be available for FDA inspection.
>
> "The problem of absorbability and utilization of claimed nutrients is

PRODUCT:	KRAFT FUDGIES		716742
PROGRAM:	ANDY WILLIAMS SPECIAL	12/14/71	60 SEC.
	WNBC-TV	(NEW YORK)	9:42PM



1. MAN: Sheramy Kimbard's a pirate prank, fearless fudgie walks the plank.



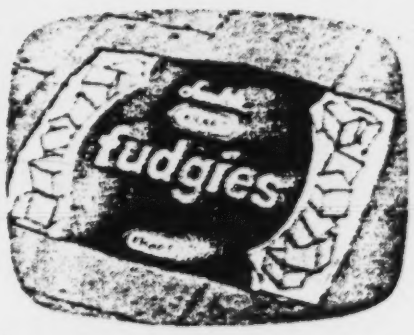
2. But ahoy, fearless wears a grin. Will his Fudgies save his skin?

3. He tosses those Fudgies

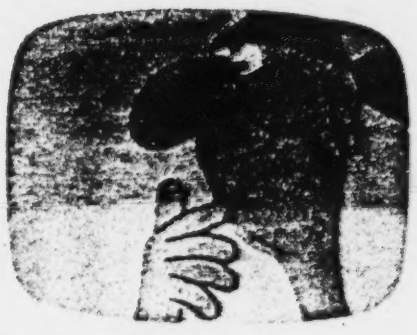
4. that taste so great.

5. MAN: Well, blow me down fearlessly, mate.

6. VOICES SINGING: It's a delicious thing to do.



7. So take Kraft's Fudgies along with you.



8. The chewing chocolates are good to chew.

9. Gets you out of trouble too.

10. BOY: Everybody likes Kraft's Fudgies.

largely one of a lack of scientific knowledge, not a lack of legislative authority. There is relatively little information about absorbability and utilization of nutrients, either from natural sources or from sources added to food. Should we develop or obtain information indicating that one source of a nutrient is more useful than another, or that in any event one source of a nutrient is virtually useless, we would most assuredly take appropriate action."

While artificial nutrients are in most ways identical with natural ones, their addition to an overly-processed, now depleted, natural food product is nutritionally questionnable.

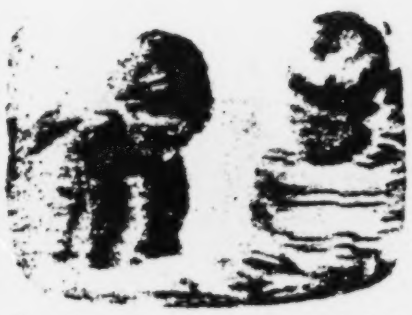
Senator, I would like now to expand to observations on the general food supply advocated to the nation's children. They are the real market for many of today's most engineered, most sugared products.

Food advertisements are directed at children in comic pages and of course on television. To analyze the most powerful of these forces, television, we have broken the watching periods into those watched almost exclusively by children--the cartoon and fantasy periods--and those which A.C. Neilsen says are watched by impressive numbers of children aged 2-11 and 12-17.

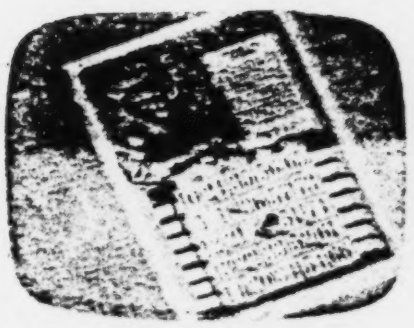
Since Mrs. Gussow is reporting on Saturday and Sunday television fare, I will not repeat her statistics. The advocacy of foods on those programs is a national course in malnutrition, and the nation's food companies are the malpracticers of this health-related communication . Exhibit B is two pages from Broadcast Advertiser Reports for the week ending January 30, 1972. You can see the types of food vended to children.

Advertising Age of February 21, 1972, reveals that the following programs have the greatest appeal for the groups indicated:

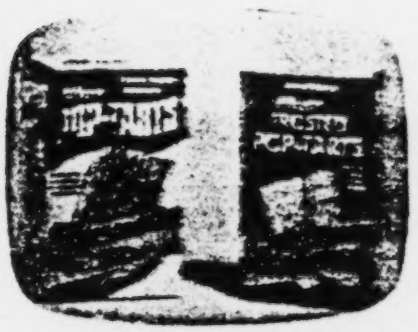
PRODUCT: KELLOGG'S POP TARTS 715696
PROGRAM: CAPTAIN KANGAROO 10/25/71 30 SEC.
WCBS-TV (NEW YORK) 8:16AM



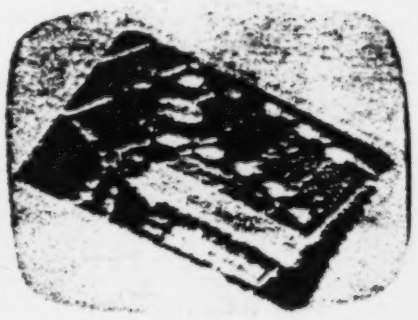
1. ANNCR: Say, boys and girls.



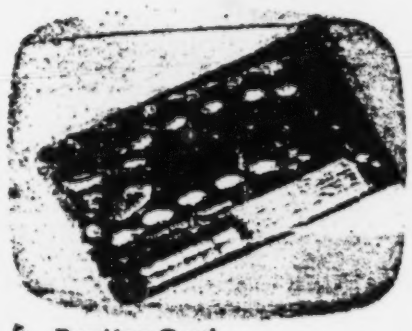
2. Now you can get one of 12 exciting fun games free



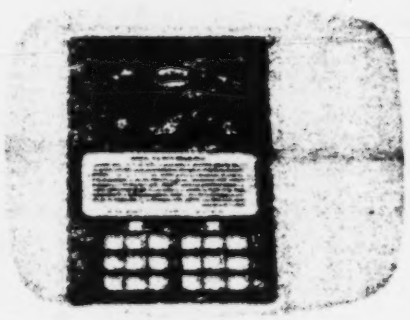
3. inside specially marked packages of Kellogg's Pop Tarts Toaster pastries. Get Air Derby,



4. Forward Pass,

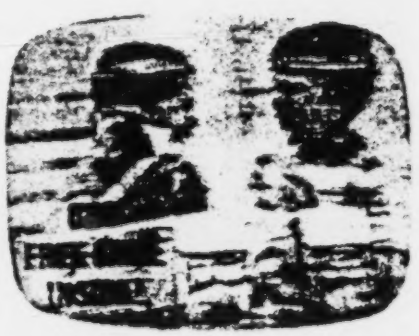


5. Punting Duel,



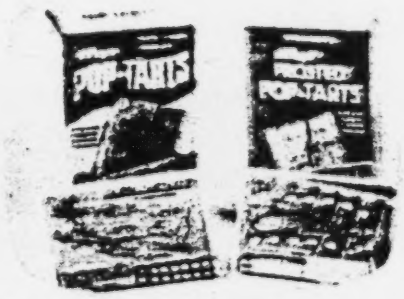
6. Tick Tac Toe

7. and other favorite sport games.



8. Great fun for everyone.

9. One free game in every specially marked Kellogg's Pop Tart package.



10. Now at your grocers.

Network tv series popularity by Nielsen homes and people

(000 omitted)

Homes

1.	All in the Family (CBS)	20,240
2.	Marcus Welby (ABC)	17,940
3.	Flip Wilson (NBC)	17,880
4.	Sanford & Son (NBC)	16,930
5.	Mary T. Moore (CBS)	16,210
5.	Ironside (NBC)	16,210
7.	Movie of the Week (ABC)	16,090
8.	Gunsmoke (CBS)	16,070
9.	Here's Lucy (CBS)	15,370
10.	Mannix (CBS)	15,130

Men 18-49

1.	All in the Family (CBS)	8,840
2.	Monday Football (ABC)	7,830
3.	Sunday Movie (ABC)	7,780
4.	Monday Movie (ABC)	7,190
5.	Sanford & Son (NBC)	6,710
6.	Mystery Movie (NBC)	6,660
6.	Movie of the Week (ABC)	6,660
8.	Marcus Welby (ABC)	6,530
9.	Sunday Movie (CBS)	6,380
10.	Night Gallery (NBC)	6,130

Men 50-plus

1.	All in the Family (CBS)	6,260
2.	Gunsmoke (CBS)	5,850
3.	Sanford & Son (NBC)	5,290
4.	Flip Wilson (NBC)	5,280
5.	Ironside (NBC)	5,180
6.	Mary T. Moore (CBS)	4,940
7.	Bonanza (NBC)	4,680
8.	FBI (ABC)	4,610
9.	Here's Lucy (CBS)	4,520
10.	Hawaii Five-O (CBS)	4,430

Women 18-49

1.	Marcus Welby (ABC)	11,160
2.	All in the Family (CBS)	10,920
3.	Movie of the Week (ABC)	9,750
4.	Flip Wilson (NBC)	8,720
5.	Sanford & Son (NBC)	8,530
6.	Monday Movie (ABC)	8,320
7.	Mary T. Moore (CBS)	8,160
8.	Sunday Movie (ABC)	7,980
9.	Mannix (CBS)	7,810
10.	Mystery Movie (NBC)	7,760
10.	Medical Center (CBS)	7,760

Women 50-plus

1.	All in the Family (CBS)	8,110
2.	Flip Wilson (NBC)	7,440
3.	Gunsmoke (CBS)	6,930
4.	Ironside (NBC)	6,900
5.	Mary T. Moore (CBS)	6,530
6.	Here's Lucy (CBS)	6,520
7.	Sanford & Son (NBC)	6,300
8.	Bonanza (NBC)	6,130
9.	Carol Burnett (CBS)	5,990
10.	Medical Center (CBS)	5,570

Female teens (12-17)

1.	Movie of the Week (ABC)	2,840
2.	Partridge Family (ABC)	2,570
3.	Mod Squad (ABC)	2,400
4.	Mary T. Moore (CBS)	2,370
5.	Sonny & Cher (CBS)	2,300
6.	All in the Family (CBS)	2,230
7.	Brady Bunch (ABC)	2,180
8.	Room 222 (ABC)	2,170
8.	Marcus Welby (ABC)	2,170
10.	Medical Center (CBS)	2,030

Male teens (12-17)

1.	Monday Movie (ABC)	2,450
2.	Movie of the Week (ABC)	2,130
3.	Monday Football (ABC)	1,940
4.	Partridge Family (ABC)	1,900
5.	Sunday Movie (CBS)	1,840
5.	All in the Family (CBS)	1,840
7.	Friday Movie (NBC)	1,820
8.	Mod Squad (ABC)	1,750
9.	Brady Bunch (ABC)	1,740
10.	Flip Wilson (NBC)	1,730

Total children (2-11)

1.	Partridge Family (ABC)	12,830
2.	Brady Bunch (ABC)	11,960
3.	Walt Disney (NBC)	9,070
4.	All in the Family (CBS)	8,250
5.	Me & the Chimp (CBS)	8,200
6.	Room 222 (ABC)	7,780
7.	Eddie's Father (ABC)	7,420
8.	Funny Face (CBS)	7,410
9.	Mary T. Moore (CBS)	7,130
10.	My Three Sons (CBS)	6,760

Source: A. C. Nielsen Co. ratings averaged from season premiere in September through Jan. 23. Prepared for Advertising Age by a broadcast researcher.

A child that watched television one hour each weekday morning, a half-hour in the weekday afternoon, and then one of the children's favorite prime time shows each weekday night will have seen 79 food commercials. If that child also watches two hours each on Saturday and Sunday morning cartoon-time, the total of

PRODUCT: BURGER CHEF
PROGRAM: EYEWITNESS NEWS KOA-TV 12/9/71 (DENVER) 10 SEC. 5:20PM

1. ANNCR: Free at Burger Chef.

2. A scrumdidlyumptious

3. Willie Wonka Super Scrunch Bar,

4. while they last.

5. To any child, with any purchase at Burger Chef.

edible product ads seen by this moderate TV-watching child in one week is 148 commercials. This very typical 16 1/2 hour per week watching schedule exposes a child to 7696 commercials for foods and beverages in one year!!!

Let us now look at some ways in which foods are sold to children. Obviously it pays to sell to the kids; they can be made salesmen within the home environment. There are many ways to induce children to become committed salesmen.

PREMIUMS

A study made approximately a year ago by Richard Hefner in New York City revealed that 196 our of 450 various ads aired to children so heavily emphasized the premium or some feature other than the product's name as to virtually leave undescribed the product they were trying to merchandise. This is a common technique in food advertising. On various pages of this testimony, we show storyboards for some ads for foods which apparently are of such little real food value that the sponsor almost totally avoids mention of the product as he tries to persuade the child to buy in order to get premiums like these:

PREMIUM	PRODUCT
Puppet People	Kellogg's Froot Loops
Crazy Cars	Kellogg's Apple Jacks and Sugar Pops
Big Slick Toys	Quaker Cereals
Mod Rod Sports Car Kit	Kellogg's Rice Krispies
Archie Records	General Foods Alphabits or Post Cereals

Surely the child and the adult consumer would be much better served by factual information about the product than by these premium exploitations.

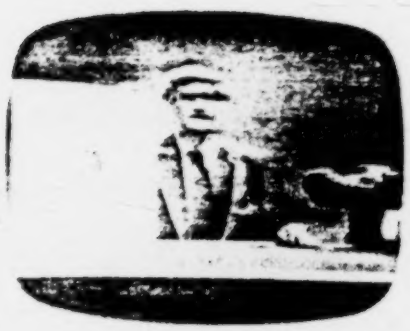
TIE-INS

Another curious example of the use of a prize to lure children to a purchase is found in the unlikely cooperation of General Foods and Quaker Oats. I am always interested in the way cereal companies operate in apparent collusion.

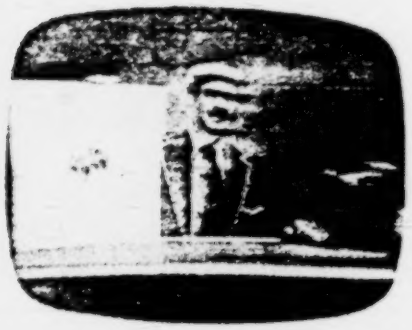
The premium case in point involved an ad seen on Denver's television station KOA-TV at 5:20 p.m. on the afternoon of December 9, 1971. The sponsor of the 10-second advertisement was Burger Chef, which is owned by General Foods, producers of the well-known "Post" cereals. The announcer said, "Free at Burger Chef! A

PRODUCT: KELLOGG'S SUGAR POPS 716782
PROGRAM: CAPTAIN KANGAROO 12/16/71 30 SEC.
WCBS-TV (NEW YORK) 8:45AM

1. MOOSE: Bronco riding is a really tough job. Even for the strongest cowboys.



2. CAPTAIN: That's true. Cowboys have to eat the right food. Get enough sleep. And proper exercise.

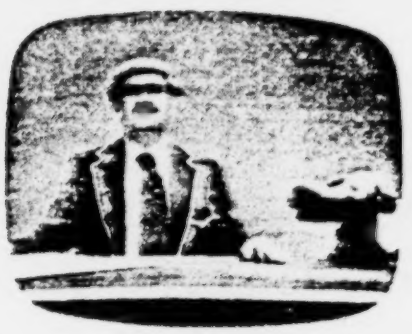


3. MOOSE: Yes. And boys and girls do too, though.

4. CAPTAIN: Oh, that's so. You know at this time of day we're reminded that a good breakfast is especially important.

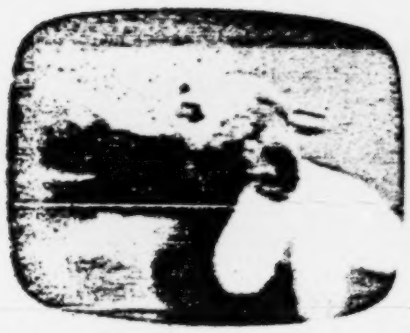
5. MOOSE: Yeah, like fruit juice, glass of milk, Kellogg's Sugar Pop Cereal, toast and spread.

6. CAPTAIN: And Kellogg's Sugar Pops is fortified



7. with 8 important vitamins.

8. Would you like to ride the bucking bronco?



9. MOOSE: Well,

10. actually I'd rather ride a rocking horse.

scrumdidilyumptious Willy Wonka Super Scrunch Bar--while they last!" The picture then displayed both the Burger Chef symbol and the Willy Wonka candy bar, with a slogan saying, "We always treat you right." The Willy Wonka candy bar is manufactured by the Quaker Oats Company. Can you believe that General Foods is advertising a product manufactured by its supposed arch-competitor Quaker Oats?

As an aside, it is also interesting to note how Willy Wonka candy bars came into being. Quaker Oats, noting the candy market was already four times as large as the cereal business and was expanding much faster, wanted to get into the candy business, so it bought up the movie and television rights to a book written by Ronald Dahl called "Charlie and the Chocolate Factory". They rewrote the text to stress the name Willy Wonka and hired their favorite television producer, Mr. David Wolper, to make a children's length movie about Willy Wonka and the Chocolate Factory. This was not so much an effort to provide entertainment for children at suburban matinees--where the movie came to be shown--but an effort to introduce Willy Wonka Chocolate Bars at the drink and popcorn stand out in the lobby of such theaters. Today, Willy Wonka is a profitable item for Quaker Oats. One has to give Quaker the nod for a most unusual promotion scheme in the world of candy bars and kids, expecially when they can persuade General Foods to buy the candy as a premium.

Here is another example of two corporations sharing advertising space. On this box of Kellogg's Corn Flakes, a premium is offered for Hungry Jack Potatoes, by Pillsbury. In addition, the recipe on the back of the box for "Meat 'n Tater Pie" calls for Kellogg's Corn Flakes and Pillsbury's Hungry Jack potatoes as ingredients.

TOY/FOOD LINKS

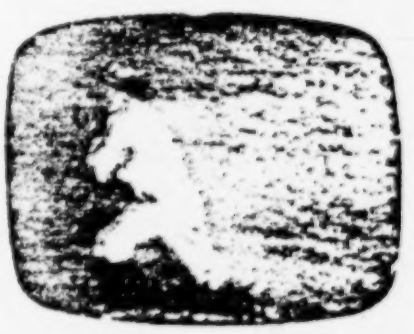
We will soon see more and more food companies getting into the toy world. Four cereal companies now own seven toy companies. Gerber and Lipton have both lent their names to toys sold by one of the major toy companies. General Mills sells cake mixes along with the Easy Bake Ovens marketed by their subsidiary, Kenner. I think we will see more of this as food companies seek to popularize their names in an institutional manner to those who play with dolls, recipes and make-believe kitchens. Other tactics work equally well for boys.

PRODUCT: KELLOGG'S CORN FLAKES 711987
PROGRAM: H. R. PUFNSTUF - 4/10/71 - 60 SEC.
WNBC-TV (NEW YORK) 11:11AM

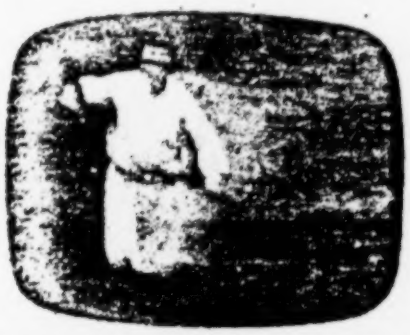
1. (MUSIC) CHORUS SINGS: The American breakfast, no mistake, starts with sugar,

2. milk and Kellogg's Corn Flakes.

3. ANNCR: George Herman Ruth and the American breakfast grew up together.

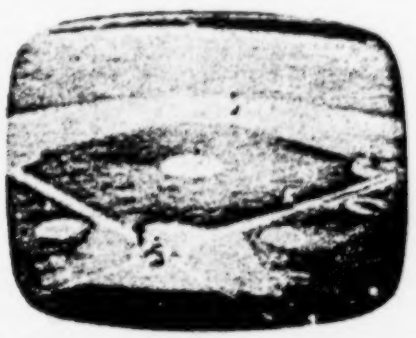


4. The world knew him as Babe, the bambino, who set more records for homers

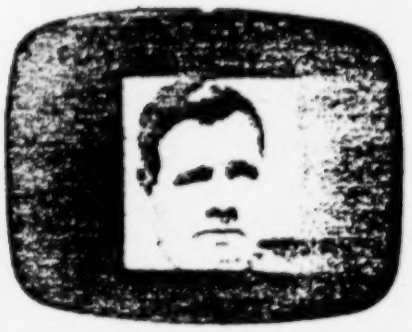


5. than anybody before or since. Most homers in a season, 154 games.

6. Most years, leading the league in homers.

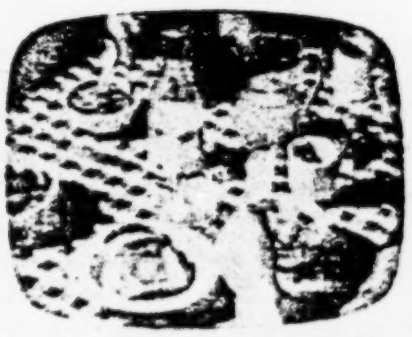


7. Most years with 50 or more homers. Most homers in the World Series game, most homers period.



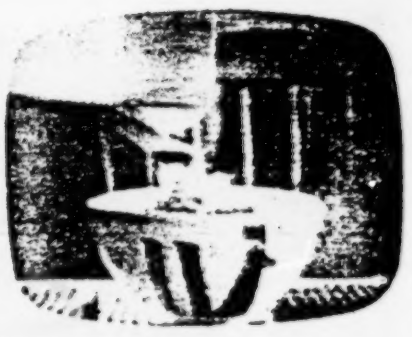
8. (MUSIC & CHEERING)

9. (MUSIC & CHEERING)

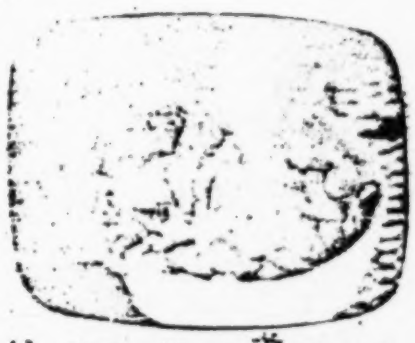


10. Babe Ruth, a great American who started out many a morning with a light, crisp,

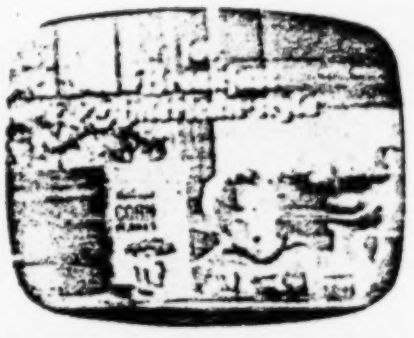
11. nourishing bowl of sugar, milk and Kellogg's Corn Flakes. Babe loved them.



12. CHORUS SINGS: The American breakfast, no mistake,



13. starts with sugar, milk and Kellogg's Corn Flakes.



14. ANNCR: Who knows what great American is eating the American breakfast now.

The more popular television shows, like the more popular comic strips, will breed a whole line of "fun" and "fantasy" food products. We are already witnessing a new line of toys with Captain Kangaroo on the box cover. He has been selling foods for years. The Flintstone family are now behind so many products it is difficult to keep track. "Pebbles" is the name of the Flintstones' child, the name of a Post Cereal, and a character included among the chewable Flintstone Vitamins, manufactured by Miles Laboratories.

We may soon have "All in the Family" beefburgers, "Partridge Family" pies or Mod Squad fruit drinks. It's the name that's important. Whatever the kids believe in will become the label on a toy, a food or an entertainment line. There is another aspect to such merging of names and products. Television advertising to a captive audience is expensive. If one can sell two products for the price of one, the payoff is worth it. This trend is sufficiently worrisome to the broadcaster purse that the protective guild of the broadcasters--the National Association of Broadcasters Code Authority--has placed prohibitions on "piggyback commercials" selling dissimilar products, even if the products are manufactured by the same company.

HERO TESTIMONIALS

Another favorite tool of the food advertisers is the use of heros to plug their products. Many companies use this technique, as can be seen from this list:

PRODUCT	HERO
Burger King	Wilt Chamberlain and Sam Snead
Kellogg's Corn Flakes	"Babe Ruth, a great American who started out many a morning with a light, crisp, nourishing bowl of sugar, milk and Kellogg's Corn Flakes. Babe loved them." *
Kellogg's Product 19	George Blander
Campbell's Soup	Miss America

* Babe Ruth is noted in folklore for his abominable eating habits.

PRODUCT: FRANCO AMERICAN SPAGHETTIOS 716168
PROGRAM: MOVIE - 11/17/71 - 30 SEC.
WNBC-TV (NEW YORK) 5:32 PM

1. WOM: Say, aren't you Oscar Robertson, the basketball player?

2. MAN: Right. WOM: The big "O". MAN: Right.

3. WOM: What's that you're eating, Oscar?

4. MAN: Spaghettios. WOM: Spaghettios?

5. MAN: You know, the neat, round spaghetti you can eat with a spoon.

6. WOM: Oh. SINGS: Uh, oh Spaghettios. SAYS: Uh, Oscar?

7. MAN: Yes? WOM: Aren't Spaghettios for kids. MAN: I guess so.

8. WOM: Then why are you eating them? MAN: It's my favorite letter. WOM: Oh.

9. MAN SINGS: Franco American,

10. uh, oh Spaghettios.

PRODUCT	HERO
Franco American Spaghetti O's	Oscar Robertson, basketball player
R. C. Cola	O. J. Simpson
Ovaltine	Joe Namath

THE DOLLARS BEHIND THE FOOD PROMOTIONS

My staff has reviewed several aspects of food advertising in 1970 and 1971.

First, one should point out that all the advertising is profitable. The earnings per share for the main cereal companies is as follows:

	1969	1970
Kellogg	$1.24	$1.36
General Foods	$2.23	$2.38
General Mills	$1.88	$1.98*
Quaker Oats	$2.04	$2.21

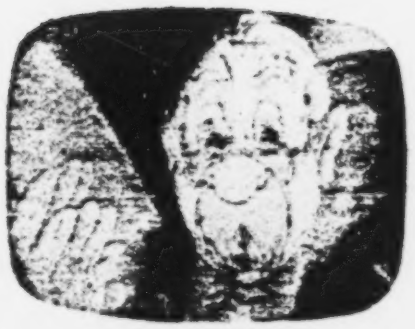
Second, one should note how television has become the almost exclusive tool of those who want to use children, whereas other media are used to back up television's message to adults. Using a representative number of the food companies whose storyboards we analysed, here is how 30 major spenders placed their 1970 advertising dollars:

	Companies which Advertise Mostly to Children on TV	Companies Which Advertise to Adults and Children on TV
Network TV Ads	$54,657,800	$53,742,800
Spot TV Ads	$32,876,700	$30,073,700
Magazine Advertising	$ 3,008.900	$10,296,800
Radio Ads	$ 997,800	$ 2,061,700
Outdoor Ads	$ 685,100	$ 1,847,300
Newspaper Ads	$ 1,987,900	$ 3,258,300
TOTAL	$94,214,200	$101,280,600

* May-to-May Fiscal Year

PRODUCT: CHOCOLATE ZESTABS 715949
PROGRAM: MAKE A WISH 11/7/71 60 SEC.
WABC-TV (NEW YORK) 11:45AM

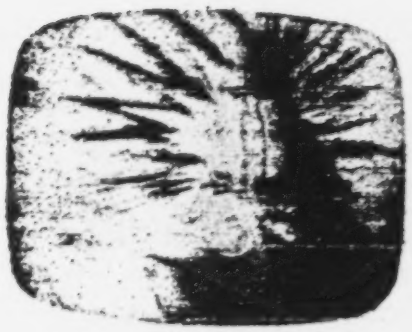
1. MAN: Hello, my little sweet friends.



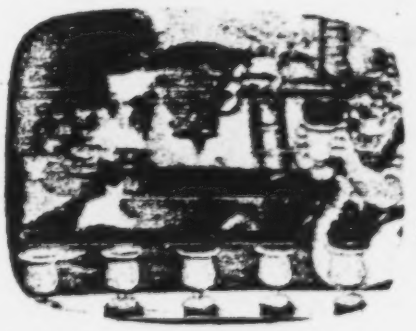
2. I'm Professor Chocolate. Here's some of my famous inventions;

3. chocolate chip cookies

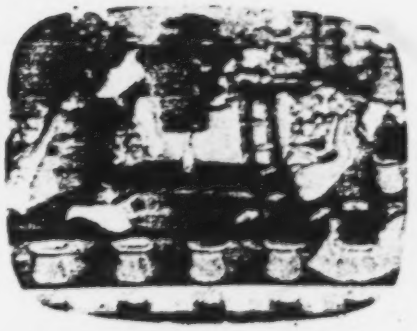
4. (SFX)



5. and chocolate sundae.



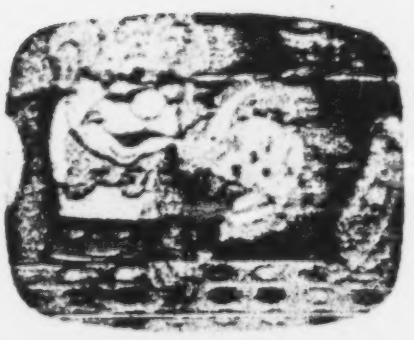
6. I invented it on Monday.



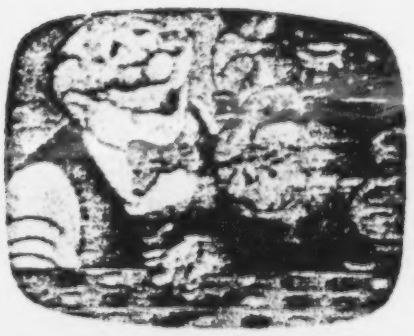
7. Chocolate milk. First, I had to invent a chocolate cow.

8. (MUSIC)

9. And now my greatest invention, chocolate vitamins. New delicious chocolate Zestabs.



10. Chocolate inside, beautiful colors outside. For Angela is an artist.



11. (MUSIC) Mom, since kids don't always eat right, one Chocolate Zestab

12. gives them all the vitamins they normally need in a day,

13. along with their favorite thing to eat, chocolate. (MUSIC)

14. Ah, hm, delicious.

15. New delicious Chocolate Zestabs.

Some companies and some products are exclusively child-directed. Of sixty (60) products commonly appearing on programs for which children constitute the major audience, forty-two (42) seem not to appear on programs which are primarily viewed by adults.

Since children are known to watch early evening TV, we found it interesting to note these products aimed at prime-time audiences which Neilson spots as having over 6 million viewers under the age of 12. These products were advertised during 5 and a half hours of programming:

General Foods
- Birdseye Cool Whip - 2
- Tang Beverage Mix - 2
- Jell-O Canned Pudding
- Dream Whip Topping Mix

Oscar Mayer
- Cold Cuts - 2
- Bacon
- Weiners

General Mills
- Buc Wheats
- Betty Crocker Hambrg. Helper
- General Mills Regional

Norton Simon
- Wesson Regular Oil
- Hunt Snack Pack
- Hunt Skillet Dinner

Warner Lambert
- Dentyne Regular Gum
- Certs Mints

Coca Cola
- Coca Cola
- Hi-C

Peter Paul
- Peter Paul Mounds
- Peter Paul Caravelle

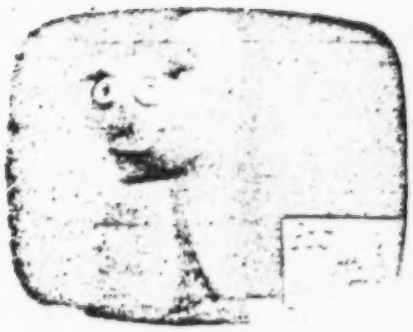
Pepsico
- Fritos Corn Chips
- Fritos Doritos

National Biscuit Company
- Nabisco Diggers
- Nabisco Premium Saltines
- Skippy Peanut Butter
- Pillsbury Chocolate Chip Refrigerator Cookies
- Brach's Candies
- Beechnut Carefree Sugarless Gum
- Campbell's Canned Vegetable Soup
- Chun King Skillet Dinners
- Chocks Vitamins
- Hardee's Food Systems

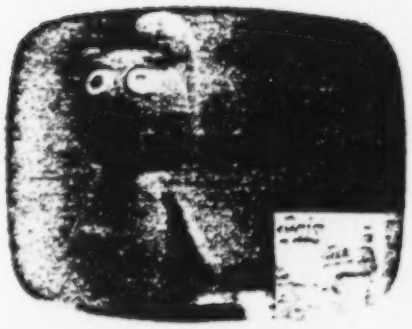
MEDICINES
- Sine-Off Sinus Remedy
- Neo-Synephrine Nasal Spray
- Neo-Synephrine Nose Drops
- Vicks Formula 44 Cough Syrup
- Sinex Nasal Spray
- Silence is Golden Cough Syrup
- Sominex Sleeping Tablets
- Pertussin 8-Hour Cough Formula
- Pertussin Plus Liquid Cold Medicine
- Doan's Pills
- Dristan Tablets

OTHER
- 4 cleaners or detergents
- 8 shampoos, deoderants, etc.
- 9 insurance, appliances, automotive, etc.

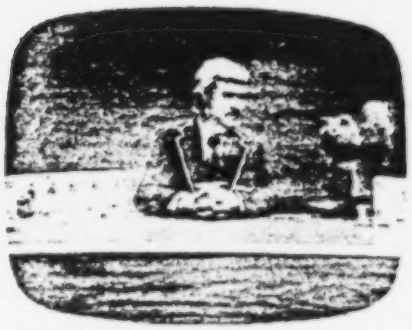
PRODUCT: PAL'S VITAMINS 716535
PROGRAM: CAPTAIN KANGAROO 12/2/71 60 SEC.
WCBS-TV (NEW YORK) 8:30AM



1. PUPPET: Say, Captain, have you ever had a squirrel wash your back?

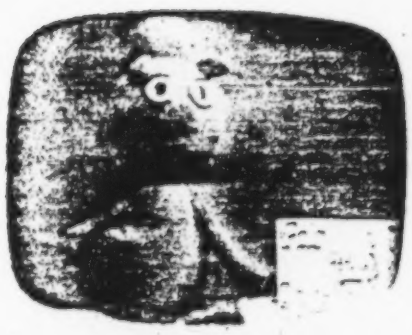


2. CAPT: Well, what kind of a squirrel



3. were you talking about, little Pal's Vitamin?

4. PUPPET: Well, I'm talking about the Bath Pal's Soap Bar that looks just like me.

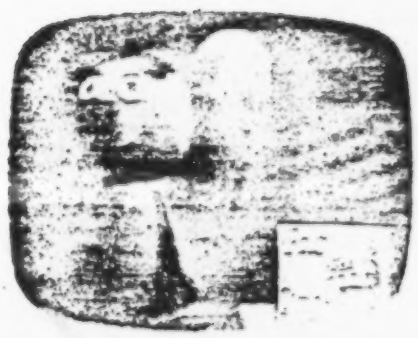


5. CAPT: Yes. It's a Pal's Orange Squirrel Soap.

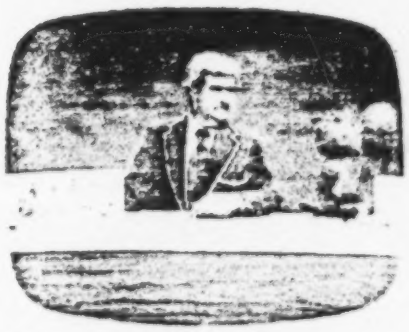
6. PUPPET: Right. You know, everybody can get Bath Pal's Soap

7. free when they buy one of these special packages of Pal's Vitamins.

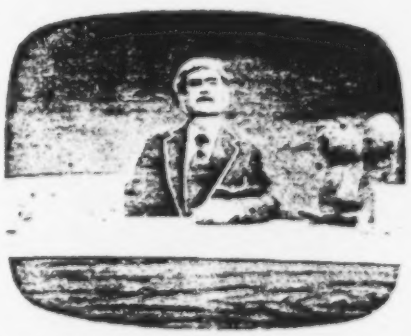
8. CAPT: Yes. And here's the Purple Turtle and the Green Cat and the Pink Fish. And the Yellow Owl. And Orange Squirrel.



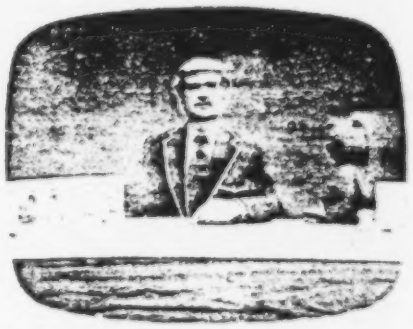
9. PUPPET: Aren't I cute?
CAPT: Mother, you may get your youngster the Bath Pal's Soap



10. in the Pal's animal shapes that he enjoys best.



11. PUPPET: Uh, what is your favorite shape, Captain?
CAPT: Secret. Mother, it is no secret



12. that Pal's Vitamins give your youngster ten important vitamins that you'd like him to have,

13. in the animal shape he enjoys.
PUPPET: I hope he picks my shape.

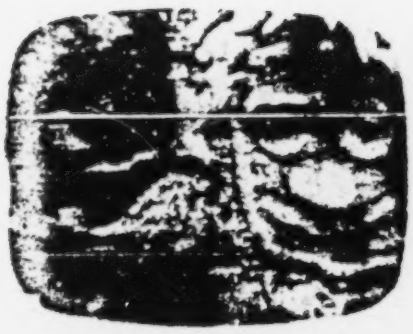
I have reviewed approximately 500 photoboards for food advertisements that have appeared on the air late in 1971 and early in 1972. I have not seen all the food ads; I do not claim 100% coverage either of all food ads or of all the ads that one agency may have authored. I have tried to be accurate as to the agency responsible for the advertisements, but there remains a small possible margin of error.

I was looking for the agencies which knew how to make the most of a nutrition information opportunity; and for those who missed an opportunity; and for those who mislead children; and for those who showed an unusual flair. Of the photoboards I reviewed and the agencies they represent, here are my ratings of various ad agencies and their products:

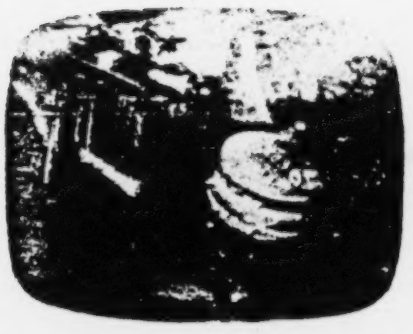
N. W. Ayer & Son of New York , Billings of $148 million in 1971. Accounts include Sealtest. "...the guys will laugh if I eat stuff that's good for me..." is part of their promotion in behalf of Sealtest ice cream. If the young viewer hadn't thought of that himself, he'll think of it, now. Sealtest's Light 'n Lively has "...20% more protein and calcium from Sealtest." But they never say what it is being compared to.

Ted Bates & Company of New York, Billings of $425 million in 1971. Accounts include Nabisco and Trident Gum. Bates packs in at least 12 audio and visual references to sugar and sweets in a 30-second ad for Nabisco's Sweet Wheats and then keeps a straight face as its Trident Sugarless Gum commercial advises: "...four out of five dentists surveyed recommended sugarless gum for their patients who chew gum..[it's] for families who care about their teeth."

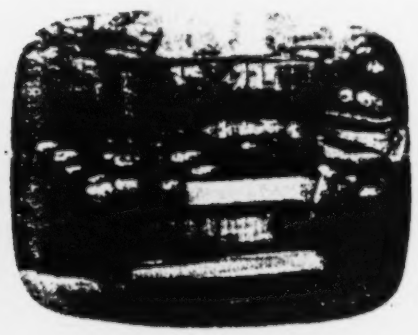
PRODUCT: MCDONALD'S 720044
PROGRAM: DOUBLEDECKERS 1/2/72 60 SEC.
WABC-TV (NEW YORK) 10:39 AM



1. CHORUS SINGS: Get yourself ready for a trip through McDonald's land. (MUSIC)

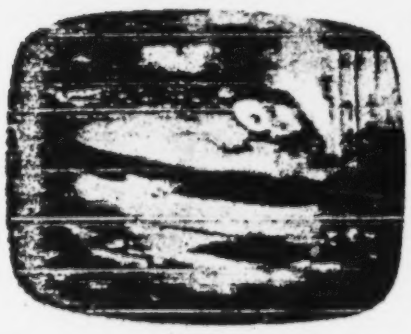


2. ANNCR: Well, it's Big Mack and his new paddy wagon.

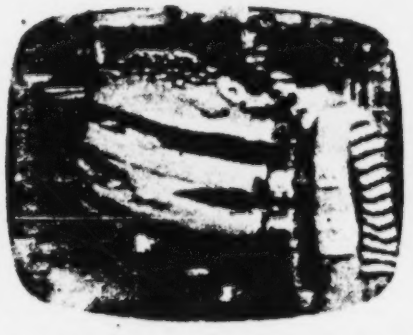


3. BIG MACK: I got my sirens, my lights, my radar.

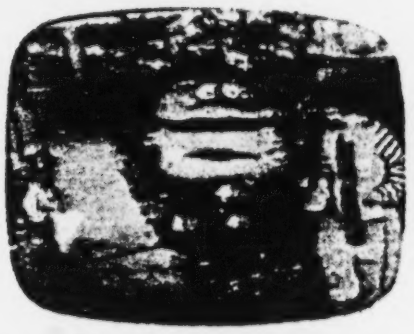
4. That crafty old ham burgler won't get away from me.



5. ANNCR: Now if he can just find him.
BIG MACK: Now if I can just find him.

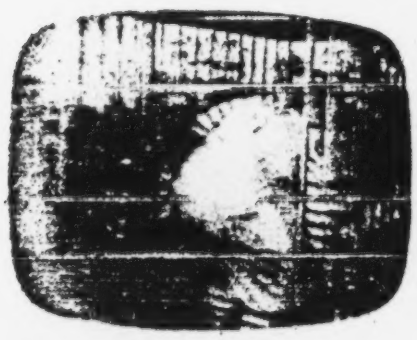


6. RONALD: Well, hi, big Mack.

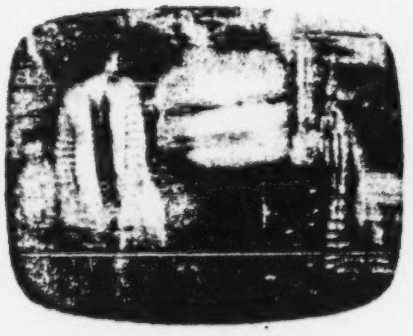


7. BIG MACK: Oh, hi, Ronald. Seen him? Little guy; funny nose, stripes, wears a mask.

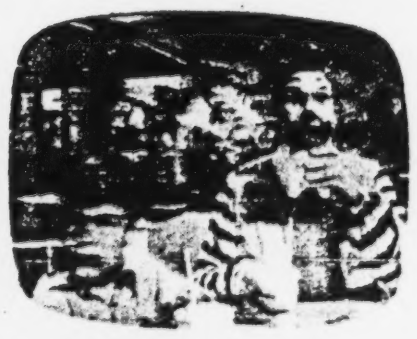
8. RONALD: The ham burgler.



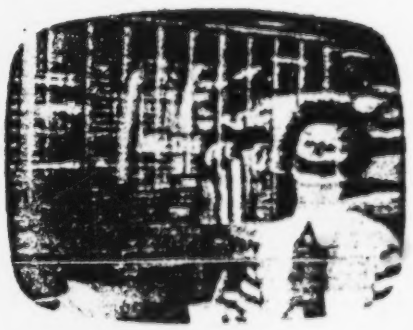
9. BIG MACK: Yeah. I'm gonna get him.
(MUSIC)



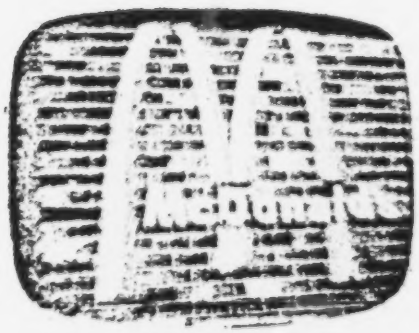
10. RONALD: Let's give Big Mack a hand.
(MUSIC)



11. (MUSIC - SFX)
BIG MACK: I got you ham burgler.
RONALD: Good going, Big Mack.



12. Nobody can resist these delicious McDonald's hamburgers. Including us. (SFX)



13. BIG MACK: Yeah, that's what they all say.
CHORUS: In McDonald's land. A McDonald's...

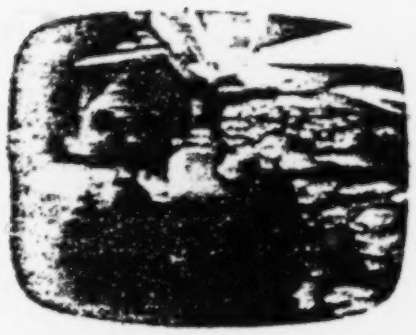
Batten, Barton, Durstine and Osborn of New York, Billings of $332 million in 1971. Accounts include Campbell Soups and Pepsi Cola. Batten must like contests. They use Miss America to advertise Campbell Soups and miss telling the nutritional facts. For Pepsi Cola, they solicit teenage models for ads through a TV contest and do everything possible to win the under-12 vote, while professing in correspondence with me that they do NOT advertise to children.

Leo Burnett Company of Chicago, Billings of $423 million in 1971. Accounts include Nestle, Kellogg, Green Giant and possibly Franco-American Spaghetti. Burnett advises children to seek "Quik" instead of a cookie, apple or drink; tells them to emulate Babe Ruth's breakfast habits; uses premiums in place of nutrients to sell Kellogg's Sugar Pops, Apple Jacks and Rice Krispies; mentions sugar seven times in a 30-second ad for Mini Wheats and then has the gall to say that its client (Kellogg) loves kids. Shaping one of the few ads for vegetables on the air, Burnett ignores the nutrients in Green Giant Green Beans. Surely this must be one of the worst records in the field.

DKG, Inc. of New York, Billings of $31 million in 1971. Accounts include Hoffman LaRoche. Their ads for this big chemical company make it the worst pill pusher to children. Several petitions have been filed with Federal agencies to drive these products off the airwaves, since they constitute almost a criminal act toward the nation's children.

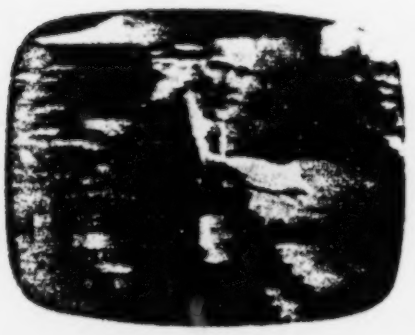
Doyle, Dane, Bernbach, Inc. of New York, Billings of $280 million in 1971. Accounts include Quaker Instant Chocolate Oatmeal and Laura Scudder's Potato Chips. The script speaks for itself: "They'll be eating chocolate oatmeal when it comes; they'll be eating chocolate oatmeal when it comes; oh, a body building oatmeal with a tasty chocolate flavor, that's the breakfast they'll be wanting when it comes. They'll be eating chocolate..."

PRODUCT: BIRDSEYE CHINESE STYLE VEGETABLES 720193
PROGRAM: NEWS 1/10/72 30 SEC.
WCBS-TV (NEW YORK) 6:34PM

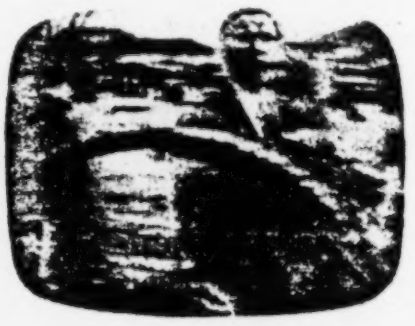


1. ANNCR: I suppose you're wondering what I'm doing here in Hong Kong,

2. 12,364 miles away from home,

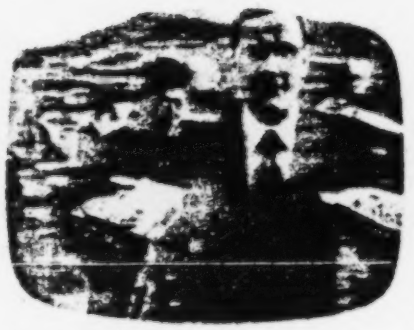


3. holding a bowl of Birdseye Chinese Style Vegetables.

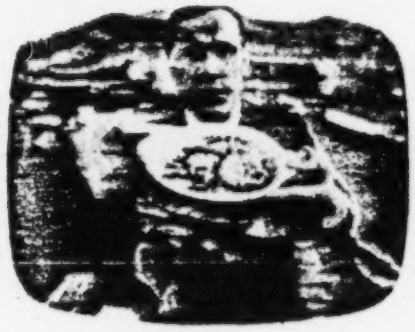


4. Well, I'm here to make a point.

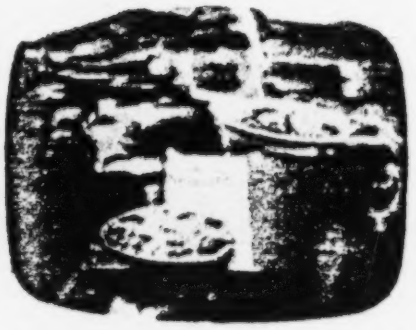
5. Even though we make it over there in America, it tastes like here.



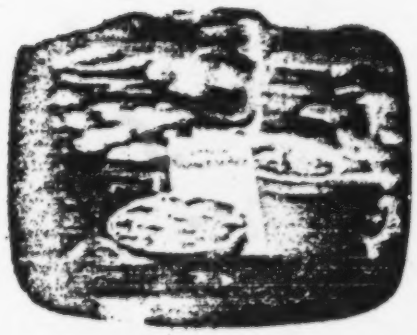
6. So taste our bean sprouts, cabbage,



7. celery, spinach, sweet peppers, bamboo shoots



8. and a sauce your husband will love.



9. Naw Birdseye Chinese Style Vegetables.

10. We make it there but it tastes like here.

To help the conscientious mother, Doyle Dane Bernbach advertises to kids that "Laura Scudders Potato Chips taste so good that sometimes you just can't wait to have lunch." The setting of this errant advice is in a school bus on the way to school, and the children are nibbling out of their lunchboxes.

Foote, Cone & Belding Communications of New York, Billings of $235 million in 1971. Accounts include Kraft Candies and Sunkist. They advise kids to eat "Fudgies" to "get you out of trouble." But their Sunkist ads are a different matter. While some may question using dinosaurs to sell to kids, or using Tom Jones-like seduction to sell a navel orange, at least Foote, Cone knows what oranges are really good for. A tip of the hat.

L. W. Frohlich & Company of New York, Billings of $44 million in 1971. Accounts include Pals Vitamins. Frohlich is almost as bad as DKG. "Five colors, five shapes", they say. Anything to create a sale, even making tie-ins with soap and pills.

Ketchum, MacLeod and Grove of New York and Pittsburgh, Billings of $107 million in 1971. Accounts include Heinz Great American Soups. "There's a big difference between water and broth" according to their Great American Soup ads. There is also a great deal of deception in their implications.

Marschalk Company of New York, Billings of $49 million in 1971. Accounts include Minute Maid. This agency misses a marvelous opportunity to talk nutrients to children; even Der Bingle ought to approve of nutrients.

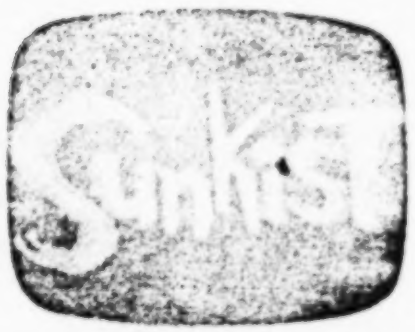
Ogilvy and Mather International of New York, Billings of $297 million in 1971. Accounts include Hershey. Their advice that Hershey Syrup "Makes milk a dessert" and that it should be used on peaches and pears must be below the plimsol mark of responsibility.

PRODUCT: SUNKIST ORANGE 710162

PROGRAM: RED SKELTON - 1/11/71 - 30 SEC.
WNBC-TV (NEW YORK) 7:56PM

1. MAN: Okay kids, what's on the outside of a great orange?

2. CHILDREN: S-U-N-K-I-S-T, Sunkist.



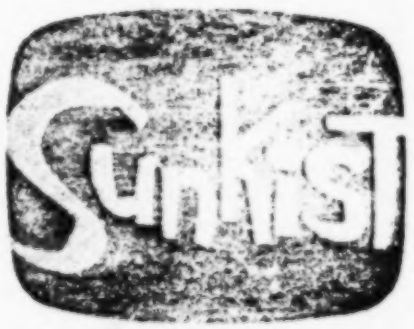
3. MAN: What else?
CHILDREN: Navel, funny, wrinkled silly navel.

4. MAN: And what does that mean?

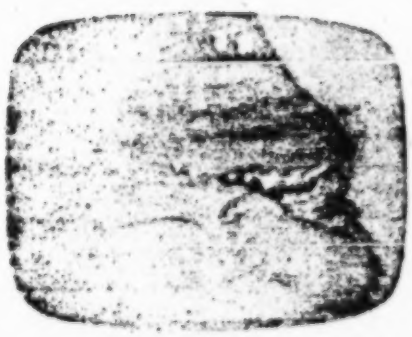
5. CHILDREN: No seeds.

6. MAN: And what's on the inside?
CHILDREN: Vitamins A, B, CCC.

7. MAN: What's it taste like?
CHILDREN: Juice, sweet, and squirty sunshine.



8. MAN: And who gets to eat it? I do.



9. CHILDREN: S-U-N-K-I-S-T, Sunkist Orange.

J. Walter Thompson of New York, Billings of $774 million in 1971. Accounts include Kraft Cheese and Miles Laboratory's vitamin pills. Thompson doesn't mind touting to kids, through kids, artificial vitamins with slogans like: you are "eating more empty calories and getting fewer vitamins" or that vitamins are for "when you don't always eat right." The characters advertising Bugs Bunny vitamins acknowledge that vegetables are necessary but advise a cop-out by taking the pills. This same agency put fresh Kraft natural cheeses on the Flip Wilson show and never mentioned the nutrient worth of those first rate products. Were they protecting the Miles account???

Wells, Rich, Greene of New York, Billings of $110 million. Accounts include Royal Crown and some Ralston Purina Products. The advertising of Royal Crown for "those who can't stop drinking" colas seems to excuse excessive and perhaps addictive habits. What other bad habits can Wells excuse? Their use of "Dear Abby" to push Picadilly Circles as a breakfast treat would seem to place that advice-giving columnist in the same suspect bag with most newspaper food editors.

Young and Rubicam of New York, Billings of $503 million in 1971. Accounts include Birdseye vegetables. This firm seemingly hasn't discovered the nutrients in Birdseye products. They were also picked by the Advertising Council to do some public service nutrition ads that never got off the ground. If they can't see a nutrient at Birdseye, they better abandon the Ad Council work.

Were we to give a prize, it would be to a small firm--~~Jones~~ Joseph Jacobs of New York City. Mr. Levine of Seald Sweet Growers in Florida boasts of using them for 40 years. We hope he continues. ~~Jones~~ Joseph Jacobs is so square as to advise mothers to squeeze their own orange juice. Great!

The Sunkist ads by Foote, Cone & Belding deserve honorable mention, as

PRODUCT: SEALD-SWEET ORANGES 720209
PROGRAM: TODAY · 1/10/72 · 30 SEC.
WNBC-TV (NEW YORK) 7:49AM

1. ANNCR: Lady, why not squeeze fresh orange juice?

2. WOM: Who me? It's so much easier opening a can.

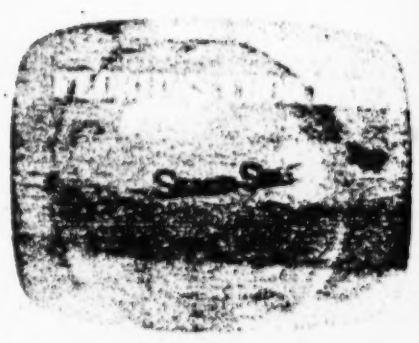
3. ANNCR: Sure. It may be more work, but think what the family misses.
WOM: Misses?

4. ANNCR: They miss the best of taste;

5. the natural Vitamin C and nutrition of real live oranges.

6. WOM: Hm, you're so right.

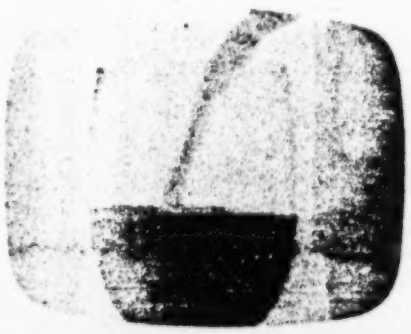
7. ANNCR: There's nothing like fresh squeezed oranges.



8. And for the pick of the crop, get Seald-Sweet Oranges,

9. Florida's choicest.

10. Fresh Seald-Sweet Oranges squeezed at home.



11. Just give a little squeeze.

does the public service work in nutrition done by the Richard K. Manoff agency.

At the other end of the scale, deluding and deriding and sometimes deceiving are:

Ogilvy and Mather	Ted Bates
Leo Burnett	N. W. Ayer
J. Walter Thompson	Young and Rubicam
Doyle Dane Bernbach	Ketchum, MacLeod and Grove
DKG	L. W. Frohlich

Duncan-Fitzgerald-Sample

I would at this time like to exhibit two advertisements of merit. The Du Pont Company has shown that it is possible to make the nutrient story interesting to children. They exhibited this ad on Jacques Cousteau's last Special--a natural for children. (Show film.) Here too are the citrus advertisements from Seald Sweet. They sell a naturally good product. (Show Film)

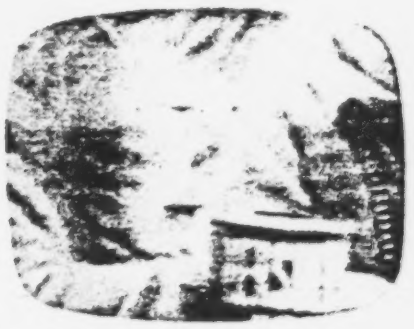
A natural product for which we have considerable less admiration is sugar, and we would like to make several comments on the way sugar is being pushed by American food manufacturers and advertisers.

PRODUCT: HERSHEY'S CHOCOLATE SYRUP V714338
PROGRAM: PETTICOAT JUNCTION - 8/30/71 - 30 SEC.
KLZ-TV (DENVER) 4:43PM

1. CHILD: Hershey's Syrup tastes best in milk.

2. CHILD: Tastes best on cake.

3. CHILD: Milk.



4. CHILD: Doughnuts.

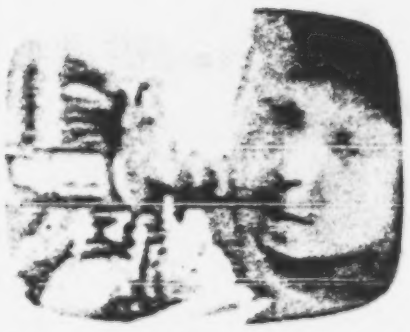
5. CHILD: Milk.

6. CHILD: Ice cream.

7. CHILD: Ay yi. It's milk.

8. CHILD: Okay, milk.

9. CHILD: I'm telling you for the last time.



10. CHILD: Hershey's Chocolate's good on everything.

11. ANNCR: Hershey's Syrup. Even makes milk a dessert.

12. CHILD: Yeah, me.

SUGAR - "INSTEAD OF QUALITY"

Sugar has become the cop-out in place of quality. An American ate about 25 pounds of sugar a year in 1850. Today the average citizen eats almost a pound of sugar every three days, or just under 1/3 of a pound per day. Perhaps he is aware of consuming only about half of this amount, since sugar may be present in unexpected places, such as canned corn beef hash, frozen vegetables and soups. Compared to other countries, we fare as follows:

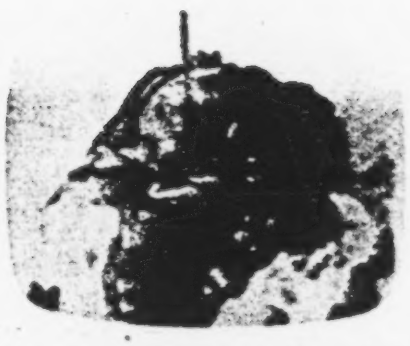
COUNTRY	POUNDS OF SUGAR PER PERSON PER YEAR
Ireland	127 pounds
Holland	120 pounds
Australia	115 pounds
United States	over 99 pounds

But these are only guesses, for most of our food companies will not tell us how much sugar is hidden in our foods as an inducement to buy. While our daily calorie needs have been dropping, the percentage of sugar providing those calories has been rising. As we mentioned two years ago, sugar is the real empty calorie, in spite of such deceptive advertisements as this one from the March 1972 issue of National Geographic Magazine: The ad shows a smiling child holding up a sugary concoction of ice cream covered with heavy caramel and sprinkled with nuts, and it states:

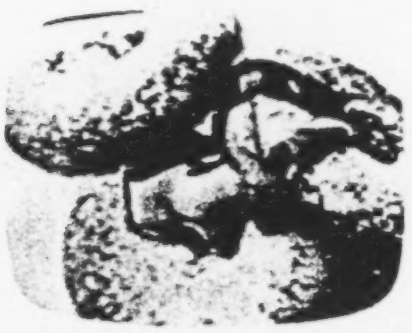
> "Do you have that little impulse to say 'no no' whenever you see your little one enjoying something with sugar in it? Lots of mothers have this prejudice. But, in fact, sugar can often do kids quite a bit of good. Sugar puts in the energy kids need in a form kids like. It not only helps youngsters stoke up fast, but the good natural sweetness gives them a sense of satisfaction and well-being. Nutritionists say that sugar, as an important carbohydrate, has a place in a balanced diet. A diet that

PRODUCT: HERSHEY'S SYRUP V-714400
PROGRAM: DIALING FOR DOLLARS - 8/31/71 - 30 SEC.
KLZ-TV (DENVER) 2:02 PM

1. WOM: Look, if you've got a can of Hershey's Syrup on the shelf, you've got dessert.

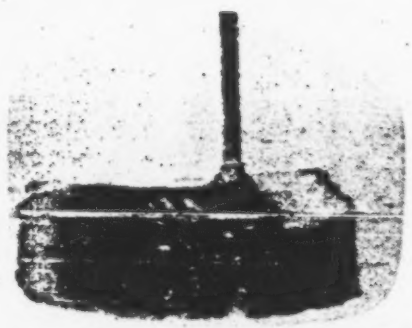


2. Pour it on cream puffs or doughnuts or peaches and pears.



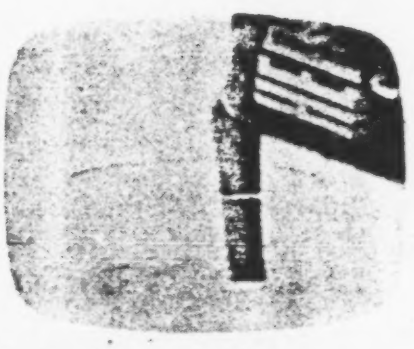
3. Pour it on ice cream and

4. more ice cream.

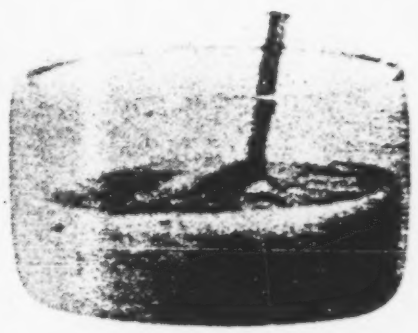


5. If you've got a can of Hersey's Syrup,

6. you've got tonight's dessert.



7. Go ahead, pour it on.



8. Pour it in. Hershey's Syrup.

9. It even makes milk a dessert.

includes the right kinds and right amounts of protein, vitamins, minerals and fats, as well as carbohydrates. SUGAR. IT ISN'T JUST GOOD FLAVOR; IT'S GOOD FOOD."

Television advertisers and food manufacturers are not the only culprits in encouraging the consumption of sugars. There is an interesting link between the sweet foods that are advertised to children and the display patterns in the local supermarket. More often than not you will find cereals, soda pops, candies and occasionally toys sold in the same aisle at your local grocer. Supermarket managers know that there is a double payoff when children go down that particular aisle.

VITAMIN PILLS

Once a child has been convinced to eat numerous super-sweet products and to avoid fruits and milk, or else to cover them with chocolate sauce, we cannot be too surprised if the child has some dietary deficiencies. Apparently the food companies and the broadcasters recognize this, for advertisementsfor vitamin pills are liberally interspersed with the ads for sweets and snack foods. When queried about the morality of advertising pills to children, some of the vitamin manufacturers are offended and insist that they are not selling pills at all--they are selling foods, because the product is "chewable" and is not shaped like a conventional tablet.

Almost a year ago, a representative of Miles Laboratories told us that the vitamin manufacturers had encountered a plateau in sales before they discovered children's vitamins, but that now sales were up. Today we see a proliferation of vitamins for children, including chocolate covered Zestabs, cartoon-character-shaped Flintstones and Bugs Bunny Vitamins, and Pals.

Flintstone Vitamins, manufactured by Miles Laboratories, are formulated in the shape of the Flintstone family, including the little girl, "Pebbles." In some supermarkets, including Von's in Los Angeles, these vitamin pills are displayed on the same shelf along with the breakfast cereal "Pebbles", a product of General Foods Corporation. This is reprehensible. The advocacy of

Pebbles-the-pill to children in the same fashion and on the same types of programs and shelves as Pebbles-the-cereal must confuse the young child, particularly when the vitamin slogan often includes the statement: "For when you don't eat right."

Pals Vitamins, which are manufactured in several different colors by Bristol Myers,are sold on television by Sesame Street-type characters. They come in the same shapes and colors as Pal Soaps. On the morning of Saturday, February 19, four Pals advertisements appeared on one station in the District of Columbia within 45 minutes. We question the motives of those who endorse such massive selling to children.

Chocks are manufactured by Miles Labs in the traditional pill shape and are advertised as "the chewable vitamin, shaped for grown-up kids like you."

Perhaps the most offensive advertising of vitamin pills is that for Chocolate Covered Zestabs, manufactured by Hoffman La Roche. These pills bear such a resemblance to M & M Chocolate Candies that if both were to appear on a table, as I here display, the child would be hard-pressed to choose which is the vitamin pill and which is the candy. This similarity is dangerous and could easily lead to overconsumption by children. Apparently the Food and Drug Administration is waiting for the first public outcry about children being rushed to hospitals for treatment of overdoses before they act to take this product off the market.

The very existence of vitamin pill advertising on children's television is curious, since the National Association of Broadcasters Television Code states in Article Ten:

> "The broadcaster and the advertiser should exercise special caution with the content and presentation of television commercials placed in or near programs designed for children. Exploitation of children should

be avoided. Commercials directed to children should in no way mislead as to the product's performance and usefulness. Appeals involving matters of health which should be determined by physicians should not be directed primarily to children."

This is yet another example of the failure of industry and government to effectively protect the nation's children from exploitation.

DRIVE IN CHAINS

Americans are moving towards eating patterns involving 5 or 6 "meals" per day, rather than 3. Many of these meals are obtained in drive-in type quick service restaurants. I have heard it said that half of America's food is consumed in or near an automobile. It therefore behooves us to look at the nutrient practices and advertising practices of the major fast-food chains that advertise heavily, particularly to children. Among these are: Burger Chef, owned (and perhaps regretted) by General Foods; Burger King, owned by Pillsbury; and McDonalds.

I have not completed my research on the nutrient content of the meals or semi-meals served by all these chains, but I already recognize that this country's nutritionists and food educators must stop thinking only in terms of sit-down formal menus and must pay attention to the amounts and types of food consumed at major drive-in chains. Many of the drive-in products, if eaten in the right combinations, provide a healthy portion of the daily nutrient needs, particularly if there is a balance of milk, meat, tomatoes and potatoes. The bread also makes a nutrient contribution, if enriched buns are used. At least two of the large chains - McDonalds and

Burger Chef are trying at the counter. The advertising is something else again. In particular, we think it is regrettable that many of the present ads emphasize the apple and cherry pies and the soda pops and french fries which are supposedly standard accompaniments to the typical drive-in meal. Why push these fillers when the basic products could be good by themselves? At least one big chain just now seems to be adopting nutrient related ads.

FRUITS, VEGETABLES, JUICES AND DRINKS

A recent review of advertisements appearing on children's television in the past 6 months showed that hardly a vegetable is being advertised to kids. The food industry has figured that kids don't like vegetables and has decided therefore not to bother to try to sell the kids on vegetables. They choose rather to sell them what they repeatedly have been told they like--namely, sweets. Since there is more money to be made off of convenience foods and fun foods, those who merchandise honest-to-goodness vegetables and fruits either don't have the money or don't choose to appear on children's viewing time. Even when they do appear on adult programs or family programs, the Green Giant or Birdseye messages seldom make note of the product's excellent nutritional worth. It seems that the products which could help bring television's diet back into balance are handled by advertising agencies who are afraid of the word "nutritious." Regrettably, too, many of the frozen vegetables have "sugar added."

Fruits fare only a little better than vegetables. One of the more

pleasing of all the ads aimed at children comes from Sunkist and features an extinct dinosaur. We include the photoboard of an ad for Sunkist Oranges which appeared on the Red Skelton Show in New York City early in 1971. The text is: "Kids, what's on the outside of a great orange?" Children: "Sunkist, Sunkist." Man: "What else?" Children: "No seeds." Man: "And what's on the inside?" Children: "Vitamins A, B, C, C, C." Man: "What's it taste like?" Children: "Juice, sweet and squirty, sunshine." Man: "And who gets to eat it?" Children: "I do. Sunkist, Sunkist orange." This advertisement talks about a worthwhile food. It mentions its nutritional contribution, and doesn't make the claim that it is the only source of orange juice pleasure. (Unfortunately, another Sunkist advertisement in 1971 included the phrase "a real live fresh natural good-to-eat orange always says Sunkist on it.")

(While we are awarding honors to food advertisements, I cannot omit commending the Seald-Sweet Orange advertisement that appeared January 10th of this year over WNBC-TV in New York during the Today Show. It sells, believe it or not, squeeze-your-own orange juice. This ad, by a competitor to Sunkist, admits that it's more work, but uses the argument "...think what the family misses. They miss the best of taste, the natural Vitamin C, and nutrition of real live oranges.")

Most advertising of juice-type products to children are for the artificial products like orange drink, orangeade, lemonade, Hi-C, and

products which mankind, not nature, has made principally out of water. The Coca-Cola Company owns the Hi-C line as it does Minute Maid orange juice and Hawaiian Punch Grape. It's a pity that Coca-Cola can't see fit to advertise the natural nutrients in its Minute Maid orange juice. Instead, it goes to unusual lengths to talk about natural fruits and vitamin C in its basically artificial Hawaiian Punch Grape and Hi-C fruit juice advertisements. Why? A list of the ingredients on the outside of such cans reveals that their primary ingredient is water. And it's very expensive water.

FOOD COMPANY ETHICS

Senator Moss, you have asked me to describe what has happened in the food world since my testimony before you on July 23, 1970. You have heard from Joan Gussow, a candidate for a Ph. D. in nutrition, several examples which indicate that the simple answer is "nothing very encouraging." Children are still being bombarded 10 times per hour on children's television programs with advertisements for non-nutritious foods. Manufacturers are still manufacturing and promoting convenience and "fun" foods at the expense of simpler, more wholesome products. One of the frequent defenses advanced by the food industry when questioned about these strange nutrition policies is that theirs is an industry full of men of good will. They are straightforward and honest men, and their food merchandising practices should not be questioned.

After observing the food industry for four years now, I cannot agree. The temptation of the dollar is greater than the will to nourish the population. Advertising men and lawyers shape food product decisions; nutrition is a secondary consideration. Most of all, the share of market, the return on advertising investment, is the overriding goal.

One <u>should</u> question the food merchandising practices of this country. Those in the food professions should be in the forefront. But they are not. In an effort to find out why not, I have been asking questions in the pantries of corporate America. Let me reveal here for the first time how one top company acts when it feels offended. In the marketing world, General Mills has earned a unique reputation. I would not like to have it. They like to play a power game with the forces of nutrition and not for the public's gain. Here is an incredible example of the nature of those forces.

In the July 1970 hearings on dry breakfast cereals, Dr. Michael Latham was one of the nutritionists who testified before you; he partially substantiated my findings as to the low nutrient worth of dry breakfast cereals. He was thus not popular with cereal company executives. Dr. Latham is a Professor of International Nutrition at Cornell University, which is supposedly one of the better nutrition schools in the United States; it admittedly receives many contracts and grants from the food industry and other entities connected with the industry. At a cocktail party in Ithaca, New York, many months ago, I heard mention of a strange letter received by Dr. Latham's dean, Dr. Richard Barnes. I pursued the matter. I would like to place this letter in the record , Senator Moss. It is appalling.

On August 26, 1970, just a month after Dr. Latham's testimony, a Dr. Deane W. Malott wrote a letter to Dr. Barnes, stating that "as a Director of General Mills", he had read Dr. Latham's testimony "with great care" and that he was "disturbed." In the final paragraph of his letter, Dr. Malott threatens not only Dr. Latham but the University itself with a cutoff of industrial funds. He says:

> "Professor Latham need not worry about protecting his access to corporate funds. He will not receive any from cereal manufacturing corporations. But I regret that the reaction on the part of the industry to these generalizations outside Professor Latham's field of competence will make industrial grants more difficult from corporations to Cornell itself." (For full text, see Exhibit C.)

The letter is a classic display of industry's concept of academic freedom. Perhaps even more staggering is the writer's position. Senator Moss, he was recently President of Cornell University! He obviously believes in the dominance of industry over academic freedom.

Letters such as this one no doubt keep academic nutritionists under wraps. Mrs. Gussow may soon be the subject of similar letters. She is almost unique in being willing to say what she thinks about food. If there had been

more Mrs. Gussow's in the food technology field in recent years, the junk foods that dominate the airwaves of this country might be of a very different formulation. Academia, and even the National Academy of Science, are tainted by the dollar-waving practices of the country's food companies.

Within the last few months, we have seen another--not unconnected--possible example of industry influence in academic and Federal decision-making. The Food and Drug Administration recently announced that it would issue nutritional guidelines for certain classes of food in order that the food industry would be encouraged to raise the quality of their products. The FDA, lacking the academic expertise to develop such guidelines itself, sought the advice of the National Academy of Sciences/National Research Council, which through its Food and Nutrition Board was asked to appoint committees for the development of these nutrient guidelines. The first set of guidelines--for frozen convenience dinners--was proposed on December 23. Dr. Richard Barnes of Cornell was chairman of the NAS/NRC Committee which developed recommendations for FDA, and his Committee included:

Robert O. Nesheim, Ph.D., Quaker Oats Company
George M. Owen, M.D., Children's Hospital, Columbus, Ohio
Herbert P. Sarett, Ph.D., Mead Johnson Research Center
E.L.R. Stokstad, Ph.D., University of California, Berkeley
Steven R. Tannenbaum, Ph.D., M.I.T.
Hazel M. Fox, School of Home Economics, University of Nebraska
Robert O. Herrmann, Department of Agricultural Economics, Penn State Univ.
Miss Madge Myers, Director,Francis Stern Nutrition Center, Tufts University

You will note that there are two industry representatives and no consumers, despite repeated consumer appeals to the NAS/NRC and the FDA for representation. We therefore took a particularly hard look at the nutrient guidelines suggested by Dr. Barnes' Committee for frozen convenience dinners. These guidelines were supposed to encourage the <u>improvement</u> of these products, yet we find that the approach taken by the Committee was to simply analyze 35 existing dinners from the shelves and the frozen food counters of popular supermarkets. In recommending a caloric content for the frozen dinners, this eminent academic committee added up the current caloric content of 35 dinners and divided by 35. The resulting average

was 340 calories per dinner, which they stated should therefore be the recommended caloric content of a dinner. You and I, Senator Moss, probably need 2400 to 2500 calories per day, and we would expect that our lunch or supper would provide at least a third of that amount. A product labeled and advertised as a "dinner" should certainly supply most of that. Instead, Dr. Barnes' committee endorsed certain of the industry's current practices, and completely ignored others. For instance, Libby, McNeill & Libby is currently marketing three children's dinners, which are heavily advertised on children's television. We would have expected that these children's dinners--which are called Safari Supper, Sundown Supper and Pirate Picnic--would need to be even more carefully formulated than adult dinners and would at least be included in the samples analyzed by the NAS/NRC. (One of the Libby and "Kid's Fun Dinners" contains a hot dog, macaroni and meatballs with tomato sauce, corn, French Fries, chocolate pudding and Milk Magic, a milk flavoring mix. We have inquired about the nutrient content of these dinners and have been told by the USDA, FDA and the company itself that the information is not available. The FDA has said that it will study the dinners in the spring; yet the advertisements for the dinners have been on the air since last fall, including the phrase, "Meals were never fun when I was a child.")

The guidelines as written make no requirement for calcium or vitamin C content, although these two nutrients are often in short supply in the American diet. In specifying the possible sources of protein for the dinners, the Committee omitted eggs, which are recognized as an excellent source of protein. Senator Moss, the recent proposed guidelines for composite dinners smack of the work of a Committee that is captive of the industry it was called upon to improve. Consumer requests to participate were brushed off by Dr. Phillip Handler, President of the NAS/NRC and by the top echelons of the Food and Drug Administration. Predictably, the Committee's conclusions are now being challenged. (Parenthetically, the FDA is now showing signs, albeit tardily, of involving consumers in such discussions.)

Senator Moss, I think it might be in order for this Committee to request the 10 or 20 top nutrition schools in the country to provide a list of their grants, contracts, scholarships and other endowments. I suspect that we would discover an overwhelming dependence on the food industry and associated organizations for research funds.

OTHER INDUSTRY PRACTICES

There are additional serious instances of industry irresponsibility which are worth mentioning here. In 1970, the citizenry of this country was appalled to hear that Bon Vivant soups had caused a botulism death and that the company kept such sloppy records that the FDA and state health officials were unable to find out where the soups had gone. It was even more interesting to learn that Bon Vivant had produced soups for 33 private labels and had done so while having faulty equipment according to the equipment installer, the American Can Company. Indeed, since 1959 the American Can Company had been warning Bon Vivant that its equipment was not in the proper shape. Apparently, bulging cans of soup went out on more than one occasion from the Bon Vivant factory to some of the private label merchandisers who remained silent while handling obviously contaminated products. This indicates an appalling lack of concern by some members of the food industry, including the local supermarkets, about the quality of the products they distribute. I was glad to note, Senator Moss, that your new food labeling act would require the listing on the label of the manufacturers as well as the distributors of such private label products.

Another example of food ethics came in the recent Federal Trade Commission complaint againstthe cereal companies; it revealed that Kellogg frequently "arranged" the respective shelf space for its own products and those of its competitors. And apparently the A&P's, the Safeways, the Krogers, the Giants and others went along with this practice. I think they should be named in the FTC complaint.

The more I talk to food retailers, the more I am amazed to find out what practices go on under their noses, in their own retail establishments, for which the public would soundly condemn them. The dating of Gerber Baby Foods is a case in point. Executive Officers of the Kroger Company, the Safeway Company and the Giant chain of supermarkets here in the metropolitan area have recently told me that none of them know the pull dates for Gerber foods on their shelves. They trust the Gerber salesman to rotate the food on their shelves, and it apparently has never occured to them to ask for verification of Gerber's rotation of these products, or for a statement on where the products go when they are rotated out of a particular store. In this day and age, with liability laws being what they are, it seems incredible to me that these supermarkets can permit Gerber alone to decide when a product should be rotated off their shelves. Were there to be any poisoning or sickening of a child, certainly the retailer would also be responsible.

Another reason to question the ethics of food companies is their high cost of water. Under your "Truth in Food Labeling" bill, percent of ingredients, particularly of principal ingredients, will be indicated. Today, however, the public is being deceived in its purchase of convenience foods. Several popular food items have water as their primary ingredient, and when the public finds out how much they have been paying for this water they may be less eager to buy the latest food fad product exhibited on television. It does seem amazing that the food industry has not been willing to list the ingredients by percentages before this time. I would like to show you, Senator, a poster containing the labels of some foods which list water as the principal ingredient. (Exhibit D) It is an interesting commentary on the free enterprise system (and the interpreted freedom to deceive granted by the First Amendment) that the major food companies have not had to document what is in their foods prior to launching national campaigns such as we have described in the case of the Libby Frozen Dinners for children.

Since one does not need a license to sell foods, anyone can launch a food product, advertise it over the air, and sell it in a thousand supermarkets before any Federal agency monitors the content of the product. There is therefore a particular need for legislative definition of responsibility for a company's product. In the world of food merchandising, the product manager is the kingpin of the individual empire that sells any specific product. It is he, more than the company president, who can keep current on nutrient content, profit and loss, market trends and advertising campaigns for the product. Senator Moss, in your "Truth in Food Labeling" bill, I wish that you could somehow make the food company product manager personally responsible for any gross variances between the product's content and its advertised virtues. There is precedent for such an action in the recent Internal Revenue Code amendments which hold the grant manager personally responsible for foundation grants given to illegal recipients, even if the foundation itself is held separately responsible.

NUTRITION EDUCATION - MOTHER AND CHILD

What do children see and learn that would counter all of the nutrition mis-information they receive from television advertising? Very little. We have long held that children receive little or no formal nutrition education in school which can balance their impression of the foods available to them and of the foods that are desirable. We have recently done a study on nutrition education in elementary and secondary schools which confirms this belief. Interviews with teachers and supervisors in Maryland, Virginia and Phoenix indicate that there is no plan for nutrition education in the elementary schools. The school nurse ostensibly may be available for helping a teacher plan a nutrition unit, but she does not push her services and most elementary school teachers feel they have all they can do to cover their other course work.

Even in a group of Title I schools in Prince George's County, Maryland, which have a "model program" and a full-time consumer and homemaking consultant

available to be shared by five schools, the "nutrition education" is mostly in the nature of acquainting the children with foods they may not have experienced in the home and teaching them basic food preparation skills. This is an admittedly crucial effort, especially in a Title I school where a considerable percentage of the students are from low-income families, but we consider it indicative that even this minimal program is considered to be an innovative departure in elementary nutrition education.

The Boston schools appear to fare a little better, since they have a formal syllabus for an elementary school health unit which includes nutrition. It is interesting to note, however, that the nutrition unit takes a proportionally smaller percentage of the health course as the student progresses from grade 1 through grade 6. In grade 6, if the teachers follow the syllabus, the students are for the first time introduced to a critical analysis of advertising and its effect on food consumption. We feel this is too late, but we dare not criticize the only program we have seen which includes such a subject in the elementary grades.

Home Economics teachers in secondary schools usually include a nutrition unit in their courses, but it appears to be a small item in a schedule full of emphasis on food preparation, child care and home decorating . The primary responsibility for nutrition education in the secondary school appears to fall on the Physical Education and Health teacher, who often teaches a 6-week course in Health which includes a unit on nutrition. All of these efforts at nutrition education, however, feature the outdated four food groups and audio-visual aids supplied by the State or National Dairy Council, the Cereal Institute or an entity like the Lakeland Florida Citrus Commission. We have to admit that these are not the impartial, independent sources we would choose for the basic nutrition information taught to this nation's children. We need first-rate nutrition education materials, and if we are to get out of the doldrums these should be prepared by communicators, not by nutritionists.

We do not mean to belittle the mother's role in nutrition education. But

she suffers from the same handicap as her child. If one looks at the ads which influence her, we find that the food advice she receives from many women's magazines amounts to nutritional malpractice.

My associates have just reviewed a rudimentary study of women's magazines for the months of December 1971 through March 1972. Food advertisements and recipes were studied in Women's Day, Good Housekeeping, Family Circle, McCall's and Ladies' Home Journal. Let me quote from the report:

"The majority of food ads in the magazines fall into the following food categories, listed in order of predominance in advertising:

DESSERTS - prepared cakes, cookies, pies; cake and pie crust mixes; frosting and topping mixes and preparations

CONDIMENTS - spices, flavorings, seasonings, sugar, honey, molasses

FATS AND OILS - mayonnaise, oil, salad dressing

STARCHES - pasta, bread, rice, spaghetti and macaroni dinners, potatoes

SNACKS - chips, crackers, candy, gum, coffee, tea, dips

FRUIT - canned,fresh, frozen

SOUP - canned, frozen, powdered, bouillon

PROTEIN - meat, fish, cheese, canned, fresh or frozen

BREAKFAST FOODS - liquid diets, cereals, Tang

VEGETABLES - canned, fresh or frozen, including tomato sauces, but not including ketchup

"Baby foods, liquor and frozen complete dinners accounted for a very small portion of all the foods advertised. Since they did not appear in all magazines, these groups are not included in this tally.

"According to one publisher, 80% of all food ads are full page color ads. This was found to be true, on inspection. The ads were counted and sorted into each food grouping (as above) and put into ranks for each of the five magazines (Table I)."

TABLE I: Order of Advertising Space Given Various Foods in Each of the Five Best-Selling Women's Consumer Magazines

	Family Circle	Women's Day	McCall's	Good Housekeeping	Ladies' Home Journal
DESSERTS	1st	1st	5th	1st	4th
CONDIMENTS	2nd	2nd	6th	4th	5th
FATS & OILS	5th	4th	4th	5th	2nd
STARCH	6th	3rd	1st	2nd	7th
SNACKS	8th	5th	3rd	6th	3rd
FRUITS	3rd	8th	9th	7th	1st
SOUP	7th	9th	2nd	3rd	9th
PROTEIN	4th	10th	8th	6th	5th
BREAKFAST	6th	6th	10th	8th	6th
VEGETABLES	9th	7th	7th	9th	8th

Senator Moss, on the basis of these and other figures, I have determined that desserts are advertised in these women's magazines, on the average, almost four times as often as vegetables. The report continues:

"...The content of the magazines' recipes was also analyzed. In many cases (but not all), foods that were advertised in the magazine were included in some of the recipes that were offered by that issue. In some cases, as in sugar and Worcestershire Sauce and rice, it is not uncommon for these foods to be included in recipes and no definite conclusions could be drawn as to the origin of the recipes. However, in some cases the food advertised exactly matched the food description in the recipe and it seems fairly apparent that the recipe was obtained from the advertiser...Sometimes the recipe containing the food advertised appears on the very page, or opposite the page of the advertisement. Sometimes, too, a series of recipes will appear apparently boosting many products from one company.

"Page rates from Ladies' Home Journal and Women's Day, and only

partial listings from Family Circle, Good Housekeeping and McCall's have been studied. ...The approximate amounts received for dessert ads in each of the magazines is as follows:

Women's Day	$780,000
Good Housekeeping	$534,240
Family Circle	$521,166
McCall's	$280,000
Ladies' Home Journal	$265,755

NOTE: These are estimates for the entire four months, December 1971 to March 1972."

Magazine advertisements, apparently, do little to educate the concerned housewife. Senator Moss, you are familiar with the Columbia Journalism Review article* on the practices of newspaper food editors in the United States. I submit it for the record. I will let this article stand as representative of my opinion of the ethics of those who speak about food in the nation's newspapers.

In the light of the minimal amount of nutrition information children currently receive in school and that their mothers receive through newspapers and magazines, it behooves broadcasters and advertising agencies and food manufacturers to devise nutritionally educational ads and educational spots to counter the nutrition misinformation currently practiced on television. There are several ways this could be accomplished: by public service spots such as those which long since should have been developed by the Advertising Council; by educational spots such as "In the News" or the 50-film series being developed for Captain Kangaroo, or by nutritional information actually presented in or with food advertisements.

PUBLIC SERVICE SPOTS

It has now been almost three years since I first contacted the Advertising Council on the subject of their development of a nutrition education campaign. It apparently has been stifled by in-fighting among the nutritionists and consultants who are supposedly the leaders in nutrition education.

*November-December issue

The Department of Health, Education and Welfare, the Department of Agriculture and the advertising agency (Young and Rubicam) have not been able to agree on the approach that should be taken. The Advertising Council, in their letter to me of February 10, 1972, said:

> "Progress on the development of this campaign has been slower than anticipated, so I can only reiterate that we are well aware of your interest in it, and that we plan to send you samples...after it has been approved by the several sponsors and when it is ready for dissemination to the cooperating media."

We suspect that Young and Rubicam, like most advertising agencies and food companies, fear the mention of nutrition. It is safer to cling to the old shibboleth that "you can't sell nutrition" than to examine one's product and reveal its true worth in terms understandable to the consumer.

EDUCATIONAL MINI-PROGRAMS

Another possible tool for nutrition education on television is the use of mini-programs, 2 to 3 minute presentations of educational material, including nutrition information. Such programs already exist on the networks and need only to be expanded to the other times and to local programs. A CBS short offering is called "In the News" and appears several times on Saturday mornings to relieve the wasteland of cartoons and advertising. These are 1 or 2 minute educational spots and could easily be adapted for nutrition education. ABC's "Make a Wish" and "Curiosity Shop"; NBC's "Take a Giant Step"; and CBS's "You Are There" show that the networks can educate children. I have hopes that ABC will show the interest in nutrition that it has shown in teaching numbers. This spring, CBS will begin a series of fifty 3-minute programs on the child and his well-being, to be aired on Captain Kangaroo. Until all three networks take positive action to cope with modern day food promotions, we will remain a nutritionally illiterate nation.

The networks have recently been given the ideal chance to insert 4-minute spots into each hour of programming. The National Association of Broadcasters Code Authority, taking a small step toward correcting present day advertising practices toward children, has ruled that as of January 1973, Code stations will be allowed only 12 minutes per hour of advertising on children's programs, as opposed to the current 16 minutes per hour. Here is an open 4 minutes, waiting to be filled.

EDUCATIONAL FOOD ADVERTISING

It is an advertising fact of life that a higher markup can be afforded on engineered and convenience and fun foods than on basic foods. Thus, a bigger advertising budget will always accrue to the superficially and frivolously fabricated products. The child watching advertisements for such products will inevitably gain an unbalanced perspective of his food supply. Either the better foods have to be given equal time on the air or advertisements for less nutritious foods will have to warn children not to depend solely upon them for health.
I submit that the present day advertising of edible products to children without mention of nutritional worth constitutes deception in a health-related field.
In May of 1971, in a formal presentation to the National Association of Broadcasters Code Authority, I recommended to that group a Code for Advertising Edibles, which is reproduced in Exhibit E. They "took it under advisement". At three subsequent Board meetings, they did not act upon the recommendation. One can judge that they have chosen not to act. Private enterprise has chosen not to self regulate.

Since the National Association of Broadcasters has been unresponsive to our pleas, we are hopeful that the National Advertising Review Board (NARB) may be more cooperative and concerned. The NARB came into existence at the end of 1971, through the sponsorship of the American Advertising Federation and the Council of Better Business Bureaus. These business groups recognized that advertising is heavily discounted today by the public and that the industry must clean house, in

its own interest. Originally the NARB was set up only to review ads for truth and accuracy, but in January of 1972 it acknowledged that the Board will also consider the general content of advertising messages. Their policy statement reads, "The Chairman shall appoint five-member panels from the membership whose responsibility shall be to review broad areas of concern to the public and to business involving advertising, but not relating to specific cases involving truth and accuracy."

The NARB, however, is not well informed of current public opinion about advertising. On January 20, 1972, I had an impromptu conversation with William H. Ewen, Executive Director of the NARB, and I mentioned that I would be bringing him a complaint on the mass advertising of foods. He indicated that the NARB would pay little attention, since they had not received any evidence of a public outcry about television's menu. Yet he knew nothing of the more than 100,000 letters that sit today in open files in the Federal Communications Commission--letters received by the FCC relating to the petition of Action for Children's Television (ACT) to ban all advertising to children. I hope it will not be necessary to play the numbers game with the NARB; perhaps your Committee can stress to the NARB the importance of judging ads to children on the basis of their "en masse" impact as well as on the individual message. As we will demonstrate elsewhere on the Washington scene in a few days, many of us feel that effective self-regulation in an aggressive free enterprise society is crucially important. We cannot count solely upon the Government to protect 207 million citizens. We hope that the NARB will be more aggressive and effective than the National Association of Broadcasters, for time is running out. We soon will propose to them that they drastically alter the present mode of advertising foods to young children.

GOVERNMENT ACTION

While we are awaiting private industry action to provide nutritionally informative ads or develop compensatory mini educational programs, the Federal government should not be sitting idly by. We have proposed that there be established

in the Federal Trade Commission a Bureau of Merchandising to Children. One of the first acts of this bureau would be to develop and implement compensatory advertising. Compensatory advertising would constitute a real explanation to the young viewer of the role of advertising and why advertisements are aimed at children. Once the child understands that he is the object of a large and well-organized campaign, and that advertising slogans are not necessarily to be taken at face value, he will be in a better position to judge the ads he may see. The compensatory ads would consist of perhaps twenty 1-, 2- or 3-minute segments developed under contract to the FTC and would be aired by all commercial broadcasters on a basis of one compensatory ad for every 2 or 4 minutes of advertising they sponsored to children. Advertisements containing "puffery" or ads for non-nutritive products would be compensated for on a 1:2 basis. Factual advertisements for which public documentation exists prior to airing would be compensated for on a 1:4 basis. Printed media could be included in a comparable system.

The compensatory educational message could be made up of educational spots covering the following subjects:

1. Has advertising always existed?
2. How has advertising changed in the last 25 years? Comparisons of the number of ads per hour on children's television versus those on adult television. Comparisons of the products advertised on children's television versus those on adult television.
3. The cost of a typical ad on television. The cost of ads at various points during the day and on various programs.
4. The conditions under which toy commercials, food commercials and pill commercials are prepared.
5. Puffery--when is it lying? When is it not?
6. Premiums and how they are used to sell products.
7. Coupons and how they are used to sell products.
8. Speed, sugar and sex as sales tools.
9. Who pays for the Ad? Who designs it? Who places it? Who judges it?

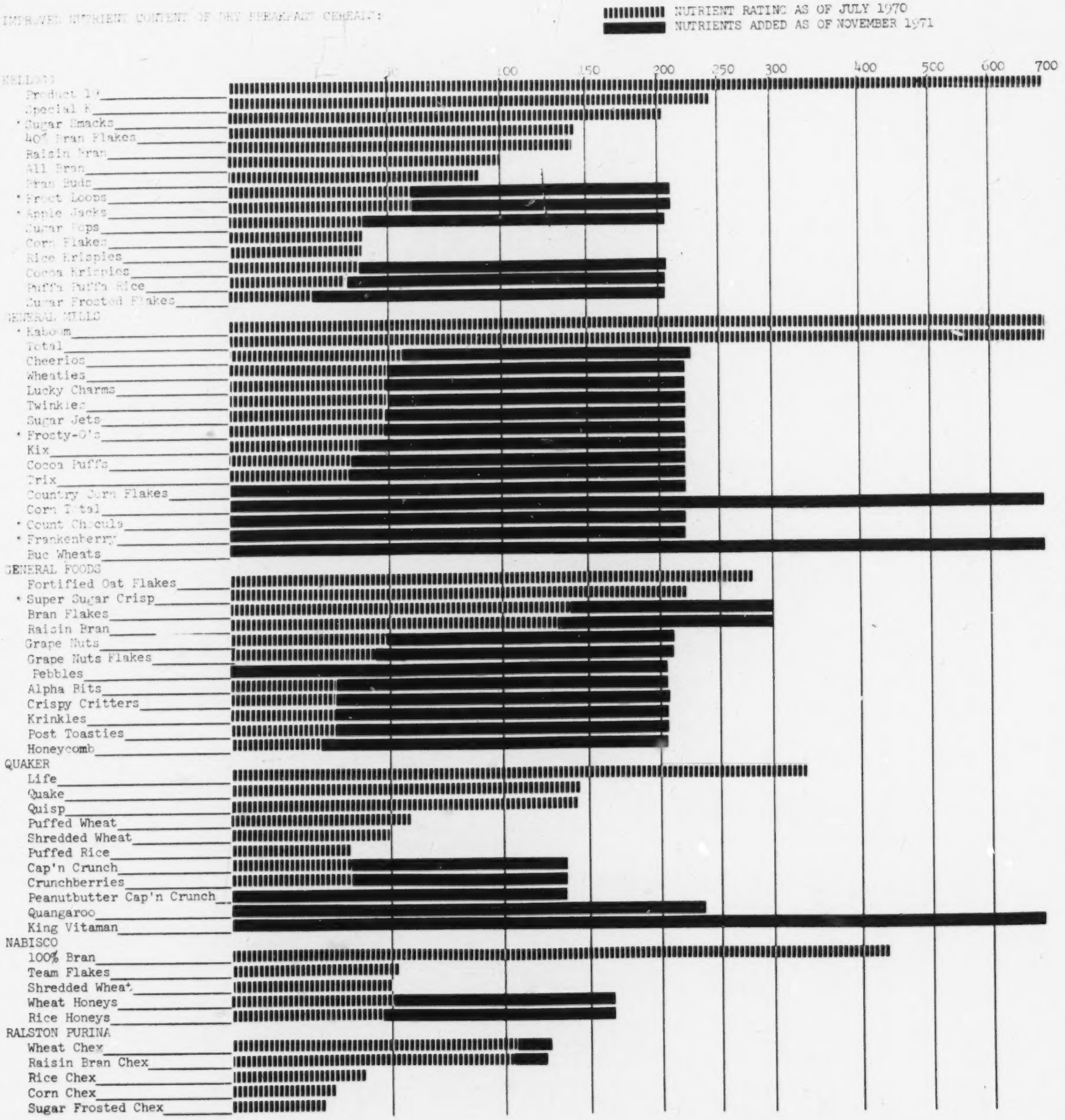
10. The role of the company, the Code Authority and the NARB. The role of the Federal agencies.
11. Advertising in the printed media.
12. What you can do if you are deceived. Who in the company will listen to you.
13. Recourse to governmental agencies.

Were such compensating messages to appear on the electronic media and in the printed media most seen by children, the child of ten, who Professor Scott Ward says has already become a skeptic in our society, would not have become an embittered sucker in his own estimation. He would have become a prudent consumer and would thus have strengthened the free enterprise system.

# # # # # #

Exhibit A

IMPROVED NUTRIENT CONTENT OF DRY BREAKFAST CEREALS



*These products have SUGAR listed first in the list of ingredients. This means they contain more sugar than any other ingredient.

NOTE: Some grocery stores and warehouses may still have the less-fortified version of some of these cereals; if so, they will receive the more-fortified product in the near future as their stocks are renewed.

Prepared by: Robert B. Choate and Associates
1346 Connecticut Avenue, N.W.
Washington, D.C. 20036
202/466-2583

November 1971

BAR NETWORK TV SERVICE — NETWORK LOG DETAIL — WEEK ENDING JANUARY 30, 1972

PROGRAMS, COMMERCIALS & ESTIMATED MINUTE COST (000) NEW YORK TIME

SATURDAY DAYTIME JANUARY 29

ABC-TV

0800 WILL JERRY LEWIS-SIT DOWN
$ 3.5
30M PARTICIPATING
0803 P 30 SUNKIST ORANGES
0804 P 30 HAWAIIAN PUNCH CANNED
0810 P 30 ZESTABS VITAMINS REGULAR
0811 RP 30 KEEBLER
REGIONAL
0818 XP 30 TANG BEVERAGE MIX
0819 IXP 15 POST SUGAR ALPHA BITS
0818 IXP 15 POST FRSTD RICE KRINKLES
0826 P 30 HUNT SNACK PACK
0827 P 30 CRAYOLA CRAYONS
0830 ROAD RUNNER
$ 6.0
30M PARTICIPATING
0831 XP 30 KELLOGG SUGAR POPS
0831 XP 30 KELLOGG RICE KRISPIES
0837 P 30 HERSHEY CHOCOLATE BARS
0838 P 30 HUNT SNACK PACK
0839 I P 15 CHEF BOY AR DEE CANNED
BEEFARONI
0839 I P 15 CHEF BOY AR DEE CANNED
BEEFOGETTI
0840 I P 15 PALS VITAMINS
0840 I P 15 PALS VITAMINS PLUS IRON
0846 XP 30 CAPN CRUNCH CEREAL
0846 XP 30 AUNT JEMIMA FRZN WAFFLES
0847 P 30 CHOCKS VITAMINS
REGULAR
0848 P 30 CRACKER JACK CONFECTION
0856 I P 15 PALS VITAMINS
0856 I P 15 PALS VITAMINS PLUS IRON
0857 P 30 M&M S PLAIN & PEANUT
CANDY
0900 FUNKY PHANTOM
$ 7.5
30M PARTICIPATING
0902 XP 30 POST PEBBLES
0902 IXP 15 POST SUGAR ALPHA BITS
0902 IXP 15 POST FRSTD RICE KRINKLES
0909 P 30 REESE PEANUT BUTTER CUPS
0910 RP 30 CONTINENTAL BAKING
REGIONAL
0911 P 30 CHEF BOY AR DEE CANNED
SPAG MEAT BL
0912 P 30 BUGS BUNNY VITAMINS
0916 P 60 QUAKER QUANGAROO CEREAL
0927 P 30 CRACKER JACK CONFECTION
0928 P 30 HASBRO GUM BALL BANK
0930 JACKSON 5
$ 9.0
30M PARTICIPATING
0931 XP 30 TANG BEVERAGE MIX
0931 XP 30 POST PEBBLES
0938 P 30 CHOCKS VITAMINS
REGULAR
0940 XP 30 TANG BEVERAGE MIX
0940 XP 30 POST PEBBLES
0946 P 30 HERSHEY INST CHOCOLATE
0947 P 30 WATERMAN BIC PENS
0948 XP 30 KELLOGG SUGAR SMACKS
0948 XP 30 KELLOGG SUGAR FROSTED
FLAKES

CBS-TV

0800 BUGS BUNNY-R.RUNNER-8:00
$ 4.0
30M PARTICIPATING
0801 P 30 CHOCKS VITAMINS
REGULAR
0802 P 30 CHEERIOS CEREAL
0808 XP 30 NESTLE CRUNCH BAR
0808 XP 30 NESTLE CHOCOLATE QUIK
0810 XP 30 EGGO FROZEN WAFFLES
0810 XP 30 KELLOGG SUGAR FROSTED
FLAKES
0818 P 60 LIBBY FROZEN DINNERS FOR
CHILDREN
0819 IXP 15 POST SUGAR ALPHA BITS
0819 IXP 15 POST FRSTD RICE KRINKLES
0819 XP 30 POST PEBBLES
0826 P 30 CHEF BOY AR DEE CANNED
RAVIOLI
0827 P 30 CAPN CRUNCH CEREAL
0830 SCOOBY DOO. 8:30AM
$ 7.1
26M PARTICIPATING
0831 P 30 BUGS BUNNY VITAMINS
0832 P 30 CRACKER JACK CONFECTION
0835 P 30 TRIX CEREAL
0842 P 60 LIBBY FROZEN DINNERS FOR
CHILDREN
0843 XP 30 POST PEBBLES
0843 IXP 15 POST SUGAR ALPHA BITS
0843 IXP 15 POST FRSTD RICE KRINKLES
0849 IXP 15 CHEF BOY AR DEE CANNED
BEEFARONI
0849 IXP 15 CHEF BOY AR DEE CANNED
BEEFOGETTI
0849 XP 30 JIFFY POP POPCORN
0854 XP 30 KELLOGG RICE KRISPIES
0854 XP 30 KELLOGG REGULAR POP TART
0856 IN THE NEWS-8:55AM
$ 10.6
4M KELLOGG CO
0857 A 30 EGGO FROZEN WAFFLES
0900 HARLEM GLOBETROTTERS-9:00
$ 10.1
26M PARTICIPATING
0902 XP 30 KELLOGG RICE KRISPIES
0902 XP 30 EGGO FROZEN WAFFLES
0908 P 30 MATTEL BARBIES COUNTRY
CAMPER
0909 P 30 PETER PAN PEANUT BUTTER
0910 P 30 TRIX CEREAL
0916 XP 30 JIFFY POP POPCORN
0916 XP 30 CHEF BOY AR DEE CANNED
RAVIOLI
0917 XP 30 HASBRO G I JOE ADVENTURE
SETS
0917 XP 30 ROMPER ROOM DO BEE DOUGH
MACHINE
0924 P 60 QUAKER QUANGAROO CEREAL
0926 IN THE NEWS-9:25AM
$ 12.6
4M MATTEL INC
0927 A 30 MATTEL HOT WHEELS
0930 HELP ITS-HAIR BEAR BUNCH
$ 10.7
26M PARTICIPATING

NBC TV

0800 FURTHER-DR.DOLITTLE-8:00
$ 2.5
30M PARTICIPATING
0813 P 30 WATERMAN BIC PENS
0830 DEPUTY DAWG
$ 3.6
30M PARTICIPATING
0831 P 30 ZESTABS VITAMINS REGULAR
0832 P 30 KELLOGG RICE KRISPIES
0838 P 30 WATERMAN BIC PENS
0839 P 30 FRITO CORN CHIPS
0851 P 60 BEDKNOBS & BROOMSTICK
MOVIE
0857 P 30 BUGS BUNNY VITAMINS
0900 WOODY WOODPECKER SHW
$ 4.6
30M PARTICIPATING
0901 XP 30 KELLOGG SUGAR FROSTED
FLAKES
0901 XP 30 KELLOGG RICE KRISPIES
0907 P 30 CHARM BIG POPS CANDY
0908 P 30 CHOCKS VITAMINS
REGULAR
0919 XP 30 CHEERIOS CEREAL
0919 XP 30 TRIX CEREAL
0927 P 60 ZESTABS VITAMINS REGULAR
0930 PINK PANTHER
$ 5.0
30M PARTICIPATING
0931 P 30 KELLOGG RICE KRISPIES
0932 P 30 BUGS BUNNY VITAMINS
0937 P 60 LIBBY FROZEN DINNERS FOR
CHILDREN
0947 P 60 ZESTABS VITAMINS REGULAR
0949 P 30 WATERMAN BIC PENS
0950 P 30 KELLOGG SUGAR FROSTED
FLAKES
1000 JETSONS.THE
$ 4.0
30M PARTICIPATING
1001 XP 30 KENNER SSP RACE CAR SETS
1001 XP 30 CHEERIOS CEREAL
1008 XP 30 LUCKY CHARMS CEREAL
1008 XP 30 TRIX CEREAL
1016 P 30 CHARM BIG POPS CANDY
1021 P 30 FRITO CORN CHIPS
1028 P 30 KELLOGG REGULAR POP TART
1030 BARRIER REEF
$ 3.4
30M PARTICIPATING
1039 P 60 MR WIZARD CHEMISTRY SET
1047 P 30 KRAFT VARIOUS CANDIES
1055 P 30 WATERMAN BIC PENS
1056 P 30 CHOCKS VITAMINS
REGULAR
1100 TAKE A GIANT STEP
$ 2.4
60M PARTICIPATING
1101 P 30 KOOL AID REGULAR
1113 P 30 TANG BEVERAGE MIX
1123 P 60 AUNT JEMIMA FRZN WAFFLES
1136 P 60 ZESTABS VITAMINS REGULAR
1145 P 60 SONG OF THE SOUTH MOVIE
1155 XP 30 KOOL AID REGULAR

BAR NETWORK TV SERVICE — NETWORK LOG DETAIL — WEEK ENDING JANUARY 30, 1972

PROGRAMS, COMMERCIALS & ESTIMATED MINUTE COST (000) NEW YORK TIME

SATURDAY DAYTIME JANUARY 29

ABC TV

```
0955    P 30 CHEF BOY AR DEE   CANNED
             RAVIOLI
0957    P 30 KRAFT VARIOUS CANDIES
1000  BEWITCHED-SAT.
      $ 18.5
        30M PARTICIPATING
1001   XP 30 CAPN CRUNCH CEREAL
1001   XP 30 AUNT JEMIMA FRZN WAFFLES
1003  I P 15 PALS VITAMINS
1003  I P 15 PALS VITAMINS PLUS IRON
1004    P 30 HUNT SNACK PACK
1011   XP 30 PLAYNTS PLAY PAINTS
1011   XP 30 KENNER SSP RACE CAR SETS
1012    P 60 LIBBY FROZEN DINNERS FOR
             CHILDREN
1024    P 30 M&M S PLAIN & PEANUT
             CANDY
1025  I P 15 PALS VITAMINS
1025  I P 15 PALS VITAMINS PLUS IRON
1026   XP 30 KELLOGG RICE KRISPIES
1026   XP 30 KELLOGG REGULAR POP TART
1030  LIDSVILLE
      $ 9.5
        30M PARTICIPATING
1031   XP 30 KELLOGG SUGAR SMACKS
1031   XP 30 EGGO FROZEN WAFFLES
1040    P 30 SUNKIST ORANGES
1041    P 30 PETER PAN PEANUT BUTTER
1042    P 30 WATERMAN BIC PENS
1043   RP 30 KEEBLER
             REGIONAL
1047   XP 30 AUNT JEMIMA FRZN WAFFLES
1047   XP 30 CAPN CRUNCH CEREAL
1048    P 30 HAWAIIAN PUNCH CANNED
1049   RP 30 CONTINENTAL BAKING
             REGIONAL
1056    P 30 HUNT SNACK PACK
1057    P 30 BUGS BUNNY VITAMINS
1100  CURIOSITY SHOP-SAT.11:00
      $ 8.5
        60M PARTICIPATING
1101    P 60 LIBBY FROZEN DINNERS FOR
             CHILDREN
1110   XP 30 BATTLESHIP GAME
1110   XP 30 OPERATION GAME
1111   XP 30 KELLOGG RICE KRISPIES
1111   XP 30 KELLOGG RAISIN BRAN
1122    P 30 TANG BEVERAGE MIX
1124   RP 60 KEEBLER
             REGIONAL
1128  IXP 15 KELLOGG COCOA KRISPIES
1128  IXP 15 KELLOGG FROOT LOOPS
1128   XP 30 KELLOGG RICE KRISPIES
1132    P 30 REESE PEANUT BUTTER CUPS
1133    P 30 TANG BEVERAGE MIX
1141   XP 30 KELLOGG SUGAR FROSTED
             FLAKES
1141   XP 30 KELLOGG RICE KRISPIES
1142    P 30 HERSHEY INST CHOCOLATE
1155   XP 30 KELLOGG SUGAR SMACKS
1155   XP 30 EGGO FROZEN WAFFLES
1200  JONNY QUEST-SAT.
      $ 8.0
        30M PARTICIPATING
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CBS TV

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0936  I P 15 COUNT CHOCULA CEREAL
0936  I P 15 FRANKEN BERRY CEREAL
0937   XP 30 NESTLE CHOCOLATE QUIK
0937   XP 30 NESTLE CRUNCH BAR
0946    P 60 CAPN CRUNCH CEREAL
0947    P 30 CRACKER JACK CONFECTION
0954   XP 30 KELLOGG REGULAR POP TART
0954   XP 30 EGGO FROZEN WAFFLES
0956  IN THE NEWS-9:55AM
      $ 13.6
        4M KELLOGG CO
0957    A 30 KELLOGG RICE KRISPIES
1000  PEBBLES & BAMM-BAMM
      $ 11.6
        26M PARTICIPATING
1006    P 30 EGGO FROZEN WAFFLES
1007    P 60 LIBBY FROZEN DINNERS FOR
             CHILDREN
1015   XP 30 TANG BEVERAGE MIX
1015  IXP 15 POST SUGAR ALPHA BITS
1015  IXP 15 POST FRSTD RICE KRINKLES
1016    P 30 CHEF BOY AR DEE   CANNED
             SPAG MEAT BL
1017   RP 30 KEEBLER
             REGIONAL
1023    P 30 ZESTABS VITAMINS REGULAR
1024    P 30 SNICKERS CANDY BAR
1026  IN THE NEWS-10:25AM
      $ 15.1
        4M MATTEL INC
1027    A 30 MATTEL HOT WHEELS
1030  ARCHIE'S TV FUNNIES
      $ 13.1
        26M PARTICIPATING
1031    P 30 BUGS BUNNY VITAMINS
1032    P 30 HASBRO G I JOE ADVENTURE
             SETS
1035   XP 30 HERSHEY CHOCOLATE BARS
1035   XP 30 HERSHEY INST CHOCOLATE
1036    P 30 KELLOGG SUGAR FROSTED
             FLAKES
1045   XP 30 HASBRO G I JOE ADVENTURE
             SETS
1045   XP 30 ROMPER ROOM DO BEE DOUGH
             MACHINE
1046   XP 30 TRIX CEREAL
1046  IXP 15 COUNT CHOCULA CEREAL
1046  IXP 15 FRANKEN BERRY CEREAL
1053    P 30 KRAFT VARIOUS CANDIES
1054    P 30 WATERMAN BIC PENS
1056  IN THE NEWS-10:55AM
      $ 15.6
        4M KELLOGG CO
1057    A 30 KELLOGG SUGAR FROSTED
             FLAKES
1100  SABRINA,THE TEENAGE WITCH
      $ 12.7
        26M PARTICIPATING
1101    P 30 NESTLE CHOCOLATE QUIK
1110    P 60 AUNT JEMIMA FRZN WAFFLES
1111    P 30 NESTLE CHOCOLATE QUIK
1117   XP 30 KELLOGG RICE KRISPIES
1117   XP 30 EGGO FROZEN WAFFLES
1118  IXP 15 CHEF BOY AR DEE   CANNED
             BEEFARONI
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NBC TV

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1155  IXP 15 POST SUGAR ALPHA BITS
1155  IXP 15 POST FRSTD RICE KRINKLES
1200   MR. WIZARD
      $ 3.0
        30M PARTICIPATING
1200          *1200N TO 1230P VIA
1200          WGR-TV BUFFALO N Y
1201    P 30 BUGS BUNNY VITAMINS
1210    P 30 WATERMAN BIC PENS
1218   XP 30 SUN PRINTER
1218   XP 30 MR WIZARD SCIENCE CLUB
1230  BUGALOOS,THE
      $ 5.5
        30M PARTICIPATING
1230          *1230P TO 100P VIA
1230          WGR-TV BUFFALO N Y
1249    P 60 ZESTABS VITAMINS REGULAR
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CORNELL UNIVERSITY
322 WAIT AVENUE
ITHACA, NEW YORK 14850

OFFICE OF THE PRESIDENT EMERITUS

August 26, 1970

Dear Dick:

As I told you in the Newark airport last night, I am disturbed at the Latham Testimony, copy of which I have read with great care, as a Director of General Mills.

I am, of course, quite aware that you do not, and should not, censor the public utterances of a member of the Faculty, but I am sure you share with me concern about the effect of public utterances on the reputation of Cornell.

Professor Latham seems to be speaking as an expert on merchandising and advertising, rather than as a scientist.

He implies that the cereal business has indicated a superiority of prepared cereals over the raw materials from which they are derived. Yet he does not pinpoint this. I have never seen such a claim made in any advertising that has come to my attention.

He apparently would substitute some other system for the free enterprise system. The question of advertising costs has been raised over the decades. There is nothing new about it. But, for the life of me, I cannot see why a nutritionist should tell industry how to conduct its merchandising.

Nor does he indicate how he would siphon off 200 millions of stockholders' money to care for the poor. Only under a dictatorship society and a nationalization of industry could this be brought about.

Dean Barnes
Page Two
August 26, 1970

The food industry is interested in better nutrition. His implication in quoting a student clearly is that the industry is not so motivated.

I resent the implication that the industry is "deliberately perhaps" making it difficult for the consumer to determine the price per ounce. Consumers are not likely to go thru the arithmetic, no matter what the particular number of ounces are in a package.

What he means in his concluding paragraph about "mollycoddling the rich and over-protecting corporate enterprises" is not clear. But the whole statement is naive and not worthy of the science of nutrition, which Professor Latham purports to represent.

Professor Latham need not worry about protecting his access to corporate funds. He will not receive any from cereal manufacturing corporations. But I regret that the reaction on the part of industry to these generalizations outside Professor Latham's field of competence will make industrial grants more difficult from corporations to Cornell itself.

Cordially,

Deane W. Malott

Dean Richard H. Barnes
Nutrition
124 Savage Hall
Cornell University

Exhibit D

The exhibit of products with water as their primary ingredient included:

Birds Eye Cool Whip Topping
Chef Boy ar dee Meat Ball Stew
Chun King Chow Mein
La Choy Shrimp Chow Mein
Crosse and Blackwell Date and Nut Loaf
Downyflake Pancakes - Toaster ready
Gerber Baby Vegetables and Beef
Banquet Salisbury Steak with gravy
Swanson Beef Enchiladas
Mrs. Filberts Take 'Em Tubs Pudding
Morton Turkey Dinner
Morton Corn Muffins
Libby's Corned Beef Hash
Libbyland Pirate Picnic
Hi-C Orange Drink

Exhibit A

PROPOSED PUBLIC TELEVISION CODE AUTHORITY FOR ADVERTISING EDIBLES, BEVERAGES, PILLS AND OTHER INTERNALLY CONSUMED PRODUCTS:

TO IMPROVE THE NATION'S KNOWLEDGE OF GOOD NUTRITIONAL PRACTICES AND THEIR RELATIONSHIP TO HEALTH;

TO PROMOTE BETTER FOODS ON THE BASIS OF THEIR REAL NUTRITIONAL WORTH;

AND TO STIMULATE A DESIRE FOR PRUDENT NUTRITIONAL PRACTICES IN THE NATION'S CHILDREN:

WE PROPOSE THAT THE CODE AUTHORITY OF THE NATIONAL ASSOCIATION OF BROADCASTERS DO HEREBY DECLARE THE PROVISIONS UNDER WHICH EDIBLES AND CONSUMABLES SHALL BE ADVERTISED TO THE NATION'S TELEVISION WATCHERS:

I. There shall be instituted a television Code for Advertising Edibles; it shall establish frequency and grouping rules for advertising to audiences made up primarily of children; it shall be drafted and administered with the participation of nutritionists, psychiatrists, broadcasters and a comparable number of members of the lay public drawn from varied walks of life. The selection of these members shall be upon the nomination of a group of five, three of whom shall be Dr. Jean Mayer, Dr. Julius Richmond, and Mr. John Gardner. All meetings relative to such a Code shall be open to public review with agendas, minutes and committee and consultant reports maintained as a public record. It shall establish guidelines for the manner in which the edible products are promoted. The Code, its staff and administration, including the meetings of the above members, shall be financed from a semi-annual levy upon the subscribing broadcasters.

II. No advertising of edibles--including beverages, pills and other internally consumed products--shall be carried by any broadcaster until such time

as the sponsor, selling in interstate commerce or to an interstate audience, registers the product with the Federal Trade Commission, Washington, D.C., and with the State Department of Public Health in the state wherefrom the advertisement originates. The registration of the product shall include:

a. A full and true description of the ingredients in the product, with percentages by weight of principal ingredients;

b. A full and true description of the nutrients in the product with percentage of Recommended Dietary Allowance of the major nutrients per 100 calorie serving. This statement shall also include a statement as to what volume of the product provides 100 calories.

c. An affirmative declaration signed by the sponsor's product manager that the submitted written advertising message and storyboard constitute a true, complete and educational description of the product's true characteristics couched in terms understandable to a typical youthful listener/viewer;

d. An affirmative declaration signed by the advertising firm's senior executive that the advertisement itself is clearly identified as being an advertisement, is identified by displayed code number as having originated in the agency's offices, and in no way utilizes heroes, principal characters or cartoon identities in any manner to vend the product.

e. An affirmative declaration to abide by any guidelines to be established jointly by FDA and the FTC for the labeling, describing and advertising of edibles.

III. Advertisements of edibles shall be permitted to make claims of nutrient worth only in those instances where each 100 calorie portion provides in excess of 10% of the NAS/NRC Recommended Dietary Allowance in any of the

following categories: complete protein, vitamin A, thiamine, niacin and riboflavin, vitamins C and D, iron and calcium.

IV. Advertisements of edibles not able to claim such nutritional worth in three or more categories and advertisements of multiple foods (such as in supermarket scenes) shall include a statement, visual and aural, in all advertisements exceeding 20 seconds in length, reminding the listener/watcher of the need for a balanced and varied food intake to assure proper nutrient intake. (Calories are not considered a nutrient in this description.)

V. No advertisement for an edible shall claim or suggest nutritional or efficacious superiority over similar or identical products manufactured under the same Federal standards.

VI. No advertisement of an edible shall stress the product's sugar, sucrose or sweetness content, or synonyms thereof, without an accompanying statement of the caloric content per typical serving and a warning as to its possible cavity-producing effect.

VII. No advertisement of a drug, medicine or pill shall be exhibited between 7:00 a.m. and 10:00 a.m., or between 2:00 p.m. and 9:00 p.m. weekdays, nor during any hours or programs when children may be the principal viewers during weekends, summers and holidays.

VIII. No advertisement for an edible shall be exhibited which leads a child to believe that if he does not purchase the product he shall have less personal appeal, less ability or shall be inferior in any way to any other child or that a privileged social status or superior loyalty is to be gained by the purchase of the product.

IX. No advertisement of an edible shall offer prizes or rewards that do not make a positive contribution to the child's improved physical health or educational development.

X. To present a balanced picture of the world of commerce to those first viewing advertisements, every accumulated five minutes of commercials primarily aimed at those under 18 years of age shall be matched by a similarly timed one minute educational message stressing the consumer's right to:

a. Be informed as to the factual basis for claims made,

b. Challenge false or misleading advertising,

c. Seek cost/benefit facts, and

d. Question the character and nature of programs and advertisements viewed by him through appropriate private and public channels.

XI. Sponsors, agencies and the broadcasting industry shall finance a broadly based research and information center to monitor children's television, such Center to be under the direction of a Board representing children, consumers, ethnic groups, young parents, social scientists, dieticians and nutritionists, and the impoverished as well as industry and the advertising profession. The Center shall maintain ongoing studies and workshops, make grants and otherwise research the impact of television on the young. Reports of such work regularly shall be made public in the media itself.